

**2014 and 2015 Inspection Reports
by Regional Board Staff**

Attachment 1

March 28, 2014 Inspection Report

Los Angeles Regional Water Quality Control Board

TO: Files 13-116 Fishback Ranch, Browns Canyon, Los Angeles County and 07-149-01, North American Cutoff, Ventura County

FROM: LB Nye

DATE: March 28, 2014

SUBJECT: INSPECTION OF AREAS OF FILL OR PLANNED FILL TO DETERMINE PRESENCE OF WATERS OF THE STATE OR WATERS OF THE UNITED STATES

Inspection Date:

March 4, 2014

Background:

Mr. Wayne Fishback owns two undeveloped properties where he has graded and filled or intends to grade and fill for agricultural purposes. The properties are in the Simi Valley area and are (1) Fishback Ranch, Browns Canyon, Los Angeles County (File No. 13-116) (APN 2821-009-030) and (2) North American Cutoff, Ventura County (File No. 07-149-01) (APN. Mr. Fishback has submitted an application for Waste Discharge Requirements or exemption from Waste Discharge Requirements pursuant to requirements of Title 14, Article 5.95 of the California Code of Regulations for existing fill and has stated an intention to submit an application for additional fill for the North American Cutoff property. Mr. Fishback has also submitted an application for Waste Discharge Requirements or exemption from Water Discharge Requirements pursuant to requirements of Title 14, Article 5.95 of the California Code of Regulations for fill for the Browns Canyon property.

Purpose of Inspection:

A limited scope inspection to evaluate existing conditions at properties owned by Mr. Fishback to determine presence of Waters of the State or Waters of the United States and necessity of permitting under Sections 404 and 401 of the Clean Water Act in areas filled, graded or planned to be filled or graded.

Inspection Party:

LB Nye, Senior Environmental Scientist, Los Angeles Regional Water Quality Control Board
Enrique Casas, Engineering Geologist, Los Angeles Regional Water Quality Control Board

Betty Cortney, California Department of Fish and Wildlife
Jeff Humble, California Department of Fish and Wildlife
Aaron Allen, US Army Corps of Engineers (Browns Canyon, only)
Wayne Fishback
Todd Fishback, W. Fishback's son
Phil Sherman, W. Fishback's engineer

In addition, two of Mr. Fishback's neighbors in the Brown Canyon area accompanied the inspection party while in the Browns Canyon area.

Browns Canyon property

The inspection party first went to the Browns Canyon property in Los Angeles County. Mr. Fishback stated his plan was to "fill ravines" and create flat areas. During this inspection he said he would build greenhouses, and also said "maybe" orchards and he mentioned houses, in passing.

The inspection party walked seven low areas or "ravines." None of the seven ravines appeared to be "waters of the United States" as defined by the Clean Water Act and associated regulations. No surface water was observed in the ravines. Clearly, when it rains, water travels down the short ravines to Ybarra Creek, but there is no real development of stream characteristics such as sediment sorting or evidence of a high water mark, nor evidence that stormwater runoff supports beneficial uses in the ravines, themselves.

Aaron Allen discussed with Mr. Fishback the technical assessments necessary to find that an area is a "water of the United States." Based on the inspection, Aaron Allen did not consider the ravines to be waters of the United States that would require a permit under section 404 of the Clean Water Act prior to grading or fill. Betty Courtney discussed with Mr. Fishback the California Department of Fish and Wildlife terms "bed, bank and channel" which are used to determine the necessity of a Department of Fish and Wildlife streambed alteration agreement under Fish and Game Code section 1602. Based on the inspection, Betty Courtney did not consider the ravines to contain a bed, bank and channel, that would require a permit under Fish and Game Code section 1602 to conduct grading or fill of the ravines.

Concrete debris was stockpiled at the site.

While Mr. Fishback did not present detailed plans or a scope of the work during this inspection, developing the area by filling the ravines would not require permitting under Sections 404 and 401 of the Clean Water Act.

Mr. Fishback also discussed his interest (along with one of his neighbors) in developing the riparian area of Ybarra Creek as a mitigation bank.

North American Cutoff property

The inspection party then proceeded to the North American Cutoff property in Ventura County. This site had areas which were previously filled by Mr. Fishback. Mr. Fishback stated that his plans for the site include constructing greenhouses and “some estate homes.”

There are three main areas which were filled. While it is possible that there could have been a ravine that had stream characteristics which could be considered a Water of the United States and a riparian area under the Fish and Game Code, the sites are top-of-the-mountain and ravines or runoff areas have very short opportunity to develop stream characteristics. At this time, there is no direct evidence that stream characteristics were present prior to the fill activities that would support a finding that the ravines were waters of the United States or that stormwater flowing in the ravines supported beneficial uses.

Mr. Fishback also showed us a new area he intends to fill and flatten. We did not observe stream characteristics in that area.

Conclusion:

While Mr. Fishback did not present detailed plans or a scope of the work during this inspection, developing the area by filling the area discussed would not require permitting under Sections 404 and 401 of the Clean Water Act.


Attachment 2


May 4, 2015 Inspection Report

Los Angeles Regional Water Quality Control Board

INSPECTION REPORT

Facility Name: Fishback Ranch (Los Angeles County Assessor Parcel Nos. 2821-009-030, 2821-009-031, 2821-002-023, and 2821-002-025)

Inspector: Enrique Casas, Engineering Geologist  May 6, 2015

Reviewer: Wen Yang, Sr. Engineering Geologist  May 6, 2015

Purpose: Inspection of site conditions following issuance of enforcement orders by the County of Los Angeles Department of Public Health Solid Waste Management Program regarding unpermitted inert waste disposal operations at the site.

Date of Inspection: May 4, 2015, announced
10:15AM arrival time
1:00PM departure time

Weather: Sunny. No rain in the Region in the days preceding the inspection.

Also Present: Others present during the inspection were:

- Property owners: Mr. Wayne Fishback, Mr. Charles Lee, Mr. Todd Fishback;
- Owner Consultants: Mr. Phillip Sherman, P.E., Ms. Michele ?, CAD designer;
- Reporter: Mr. Kevin Harris, *Citizens Journal – Ventura County's Real News*;
- Regulatory Agencies: Mr. Antal Szijj, U.S. Army Corp of Engineers

Background: Mr. Fishback owns large tracts of property (L.A. County APNs. 2821-009-030, 2821-002-023, and 2821-002-025) in the Chatsworth area of Los Angeles County (Figure 1). In associate with Mr. Charles Lee who owns neighboring property (L.A. County APN 2821-009-031), Mr. Fishback is conducting grading operations that includes the use of inert wastes as fill materials. Based information in reports of waste discharge (ROWDs) submitted to the Regional Board by Mr. Fishback (for parcel 2821-009-030) and Mr. Lee (for parcel 2821-009-031), the owners intend to terrace multiple areas of the properties to make them more functional for agricultural uses, to mitigate erosion, and potentially to allow for "low impact development". In addition, Mr. Fishback proposes to use crushed inert materials to re-grade unimproved roads on the properties.

On October 20, 2014, Mr. Fishback and Mr. Lee were issued "letters of exemption" by Regional Board staff stating that Clean Water Act section 401 certification and waste discharge requirements (WDRs) were not required for the proposed grading and inert waste reuse in parcels 2821-009-030 and 2821-009-031 (Figure 2). An application for grading or inert

waste disposal / reuse has not been submitted to the Regional Board for parcels 2821-002-023 and 2821-002-025.

On February 25, 2015, the Los Angeles Department of Public Health Solid Waste Management Program, acting as local enforcement agency (LEA) to the California Department of Resources Recycling and Recovery (CalRecycle), issued a Cease and Desist and Corrective Action Order to Mr. Fishback for the "disposal of solid waste and/or the deposition of fill ... without the required solid waste facility permits, notifications, engineering specifications, or exemptions as may be applicable" for parcels 2821-002-023 and 2821-002-025. On April 30, 2015, the LEA issued similar Cease and Desist and Corrective Action Orders to Mr. Fishback and Mr. Lee for parcels 2821-009-030 and 2821-009-031, respectively. The inspection was conducted to verify whether unpermitted waste disposal had occurred in parcels 2821-002-023 and 2821-002-025 and whether operations at parcels 2821-009-030 and 2821-009-031 are consistent with the ROWDs submitted to the Regional Board.

**Observations/
Findings:**

1. Mr. Fishback and Mr. Lee have conducted grading/disposal operations in the contiguous parcels 2821-009-030 and 2821-009-031 that are significantly in excess of the limits/volumes indicated in the grading plans included in the Regional Board letters of exemption dated October 20, 2014.
2. Mr. Fishback has created a large stockpile of inert wastes and is conducting grading activities in parcel 2821-002-023 for the purpose of constructing an access road across Ybarra Creek. Mr. Fishback has not submitted an application for the stockpiling/grading activities in parcel 2821-002-023.
3. Mr. Fishback has initiated small-scale terracing, including filling with inert wastes, in an old quarry pit in parcel 2821-002-025. Mr. Fishback has not submitted an application for the terracing activities in parcel 2821-002-025.
4. Imported wastes observed at the site generally consist of soil, concrete, weathered asphalt, and broken bricks. No significant quantities of decomposable wastes were observed.
5. See attached photographs.

Figure 1:
Los Angeles County Assessor's parcel map of the Fishback Ranch area. The boundaries of parcels 2821-009-030, 2821-009-031, 2821-002-023, and 2821-002-025 are shown in black.

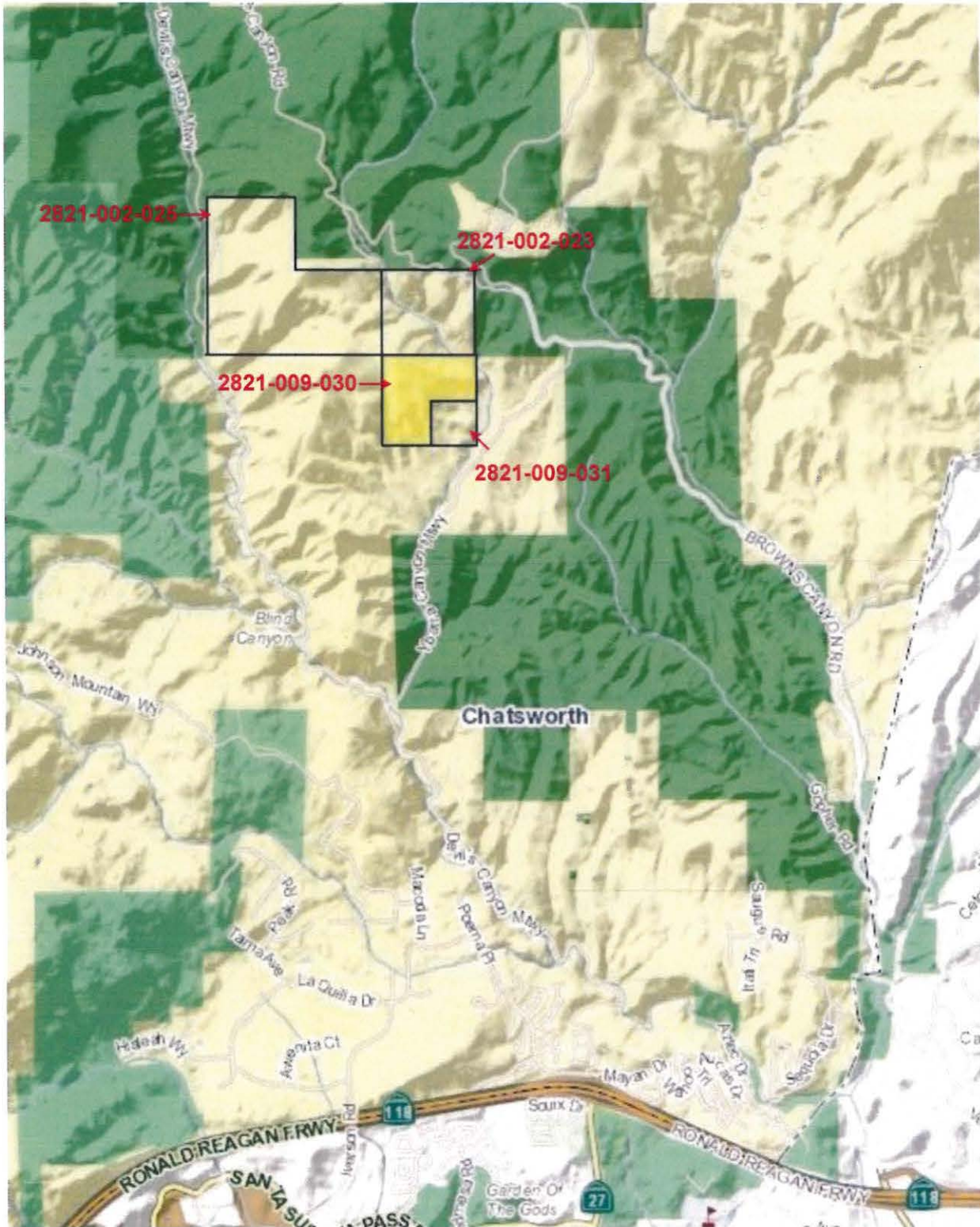


Figure 2:
Grading plan submitted for parcels 2821-009-030 and 2821-009-031 by Mr. Fishback and Mr. Lee.

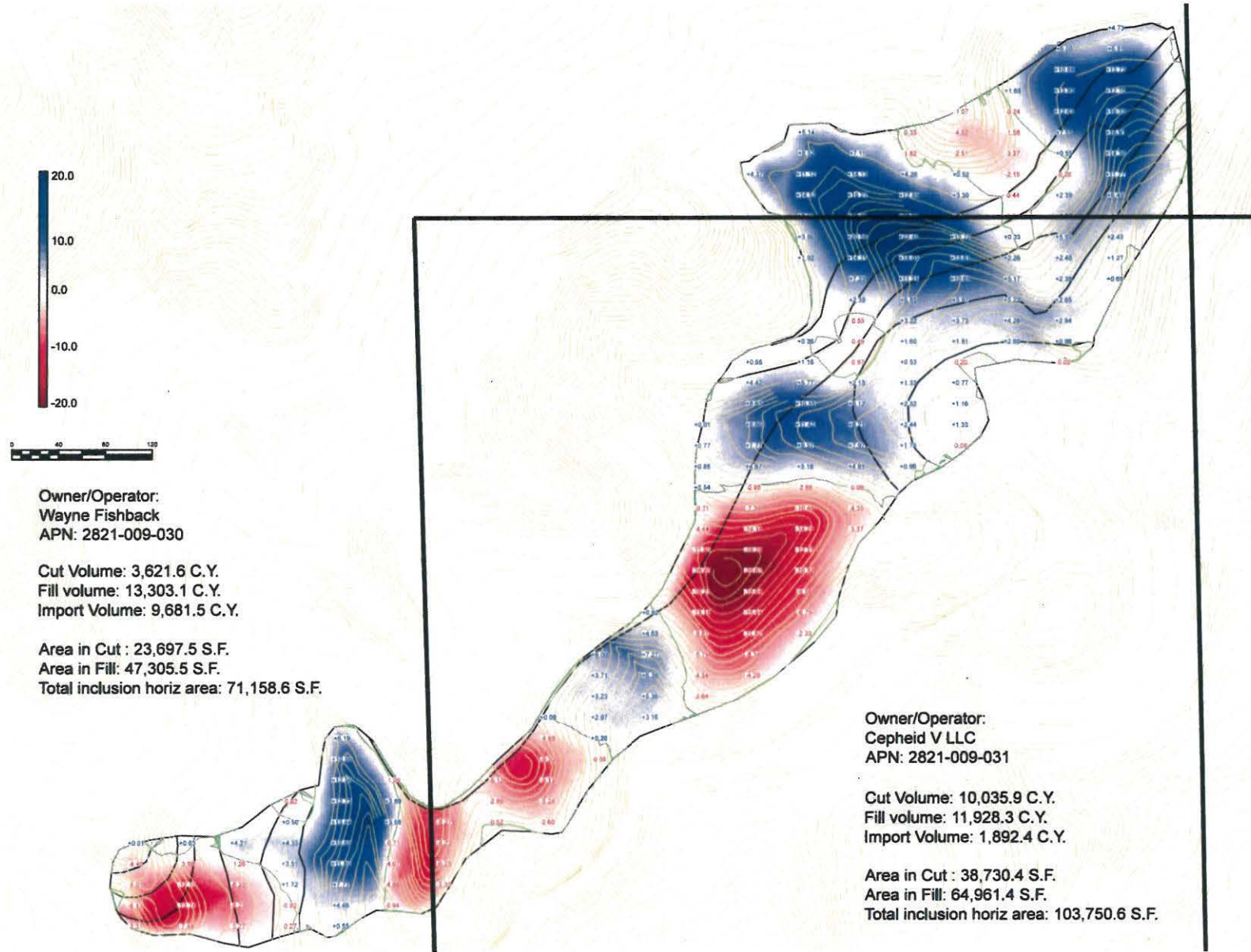
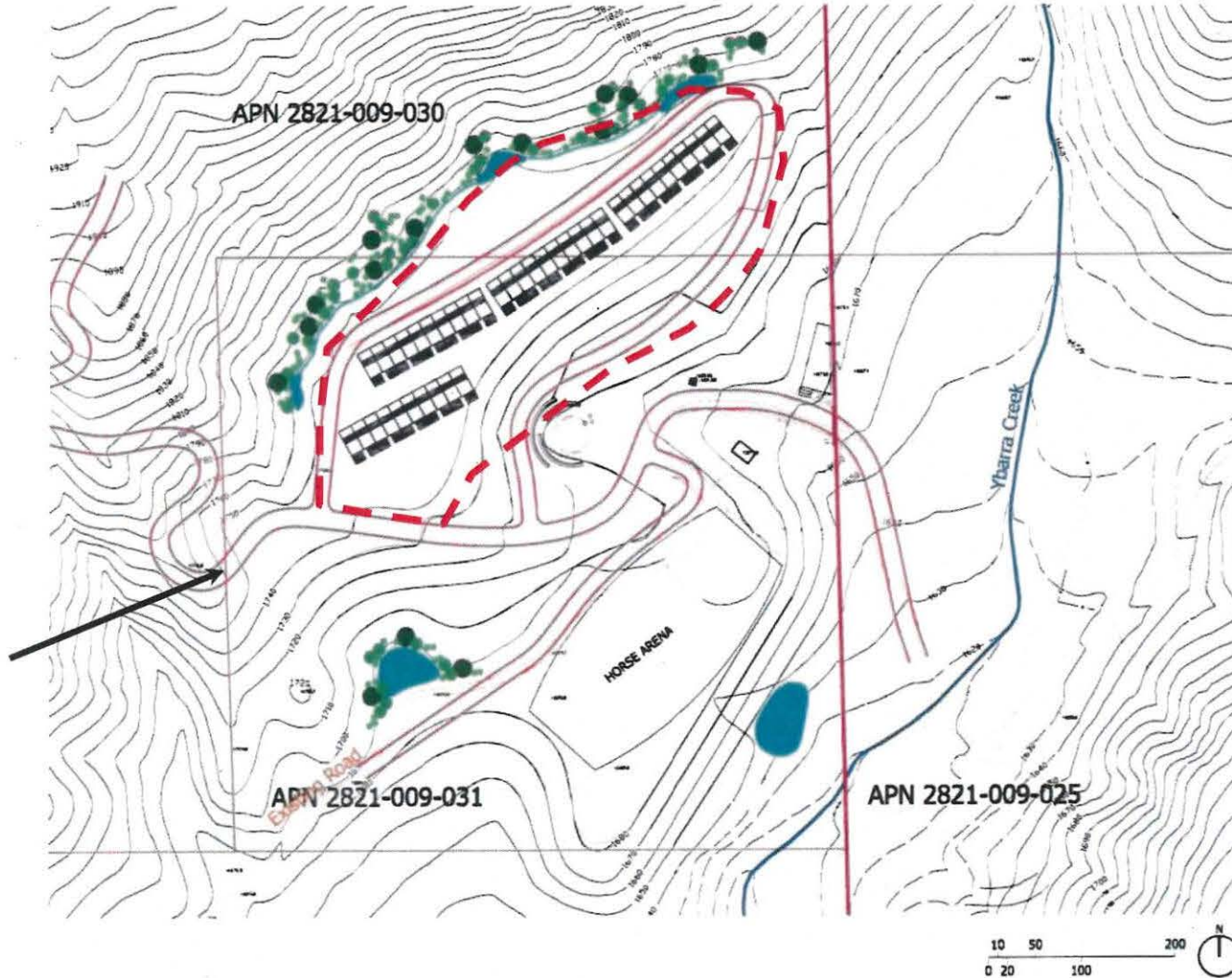


Figure 3:

Revised grading plan for parcels 2821-009-030 and 2821-009-031 presented by Mr. Fishback during the inspection. The plan had not previously been submitted to the Regional Board and is significantly different from the the plan in the October 20, 2014 Regional Board letters of exemption, because 1) grading operations have been expanded significantly to the southeast (area labeled Horse Arena); 2) a road was being graded to the northwest (arrow) to create a new access to the area; 3) as-built contours underlying the main deck area (dashed line) are significantly different and potentially indicate significantly greater inert waste fill volumes.



P R E L I M I N A R Y

Figure 4:
Panaoramic view looking south from the Browns Canyon Road at grading/fill operations in the parcel 2821-009-030, 2821-009-031 area. The dashed line is the approximate boundaries of a large area (proposed horse arena) not included in the initial grading plans and is encroaching towards Ybarra Creek. Grading for new access to the area (arrow) was also not included in the initial grading plans.



Figure 5:
Grading plan submitted in the ROWD showing areas of potential significant grading deviations relative to as-built conditions.

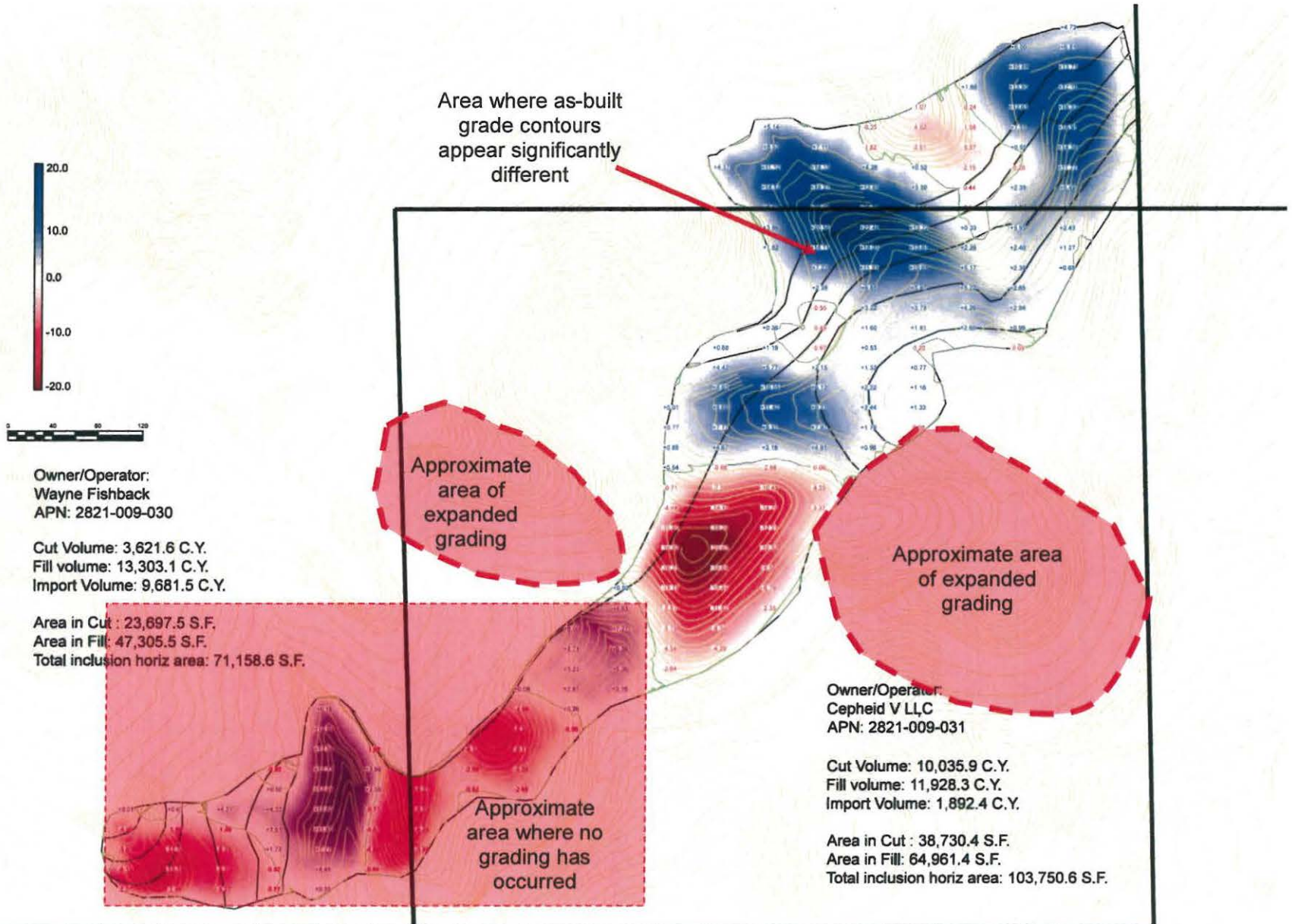


Figure 6:

Views of deck and side slope areas created by grading/fill operations in parcels 2821-009-030 and 2821-009-031. Bare soils slopes are graded towards the adjacent Ybarra Creek with no visible sediment control BMPs .



Figure 7:
View of a road being graded to provide new access to 2821-009-030 and 2821-009-031 parcels that was not included in the initial grading plans.



Figure 8:

Views of side slope and deck areas created by grading/fill operations in the area of parcel 2821-009-030 and 2821-009-031 that appeared to be generally consistent with initial grading plans in that native ridges have been terraced to augment inert materials to fill the interior ravines but potentially include significantly greater volumes of fill materials.



Figure 9:

Observations of grading/contructions activities in parcel 2821-009-030 and 2821-009-031 area. The fuel storage tank had no secondary containment. There were abundant areas of loose bare soil, with no readily evident sediment controls measures.



Figure 10:

Panaoramic view of grading/filling operations in the parcel 2821-002-023 area. The field office (arrow) that was recently set up by Mr. Fishback is adjacent to Browns Canyon Road. Mr. Fishback indicated that the grading operations are to construct an access road from Browns Canyon Road across Ybarra Creek via an overhead grade separation to the parcel 2821-002-025 area which is to the right of the field of view. According to Mr. Fishback, the large pile of materials was to stockpile and crush inert materials for the road and grade separation. No application has been submitted to the Regional Board regarding the activities in this area.



Figure 11:

Panaoramic view looking down Ybarra Creek in the area where Mr. Fishback proposes to construct a road to access parcel 2821-002-025 (arrow). Note that the field office adjacent to Browns Canyon Road is visible on the ridgeline on the left margin of the field of view.



Figure 12:

Construction of the access road on parcel 2821-002-023 by Mr. Fishback was stopped because he was denied access to the existing road leading to parcel 2821-002-025 where it crosses onto property owned by the Mountains Recreation and Conservation Authority. This picture shows that the property boundary had been fenced.

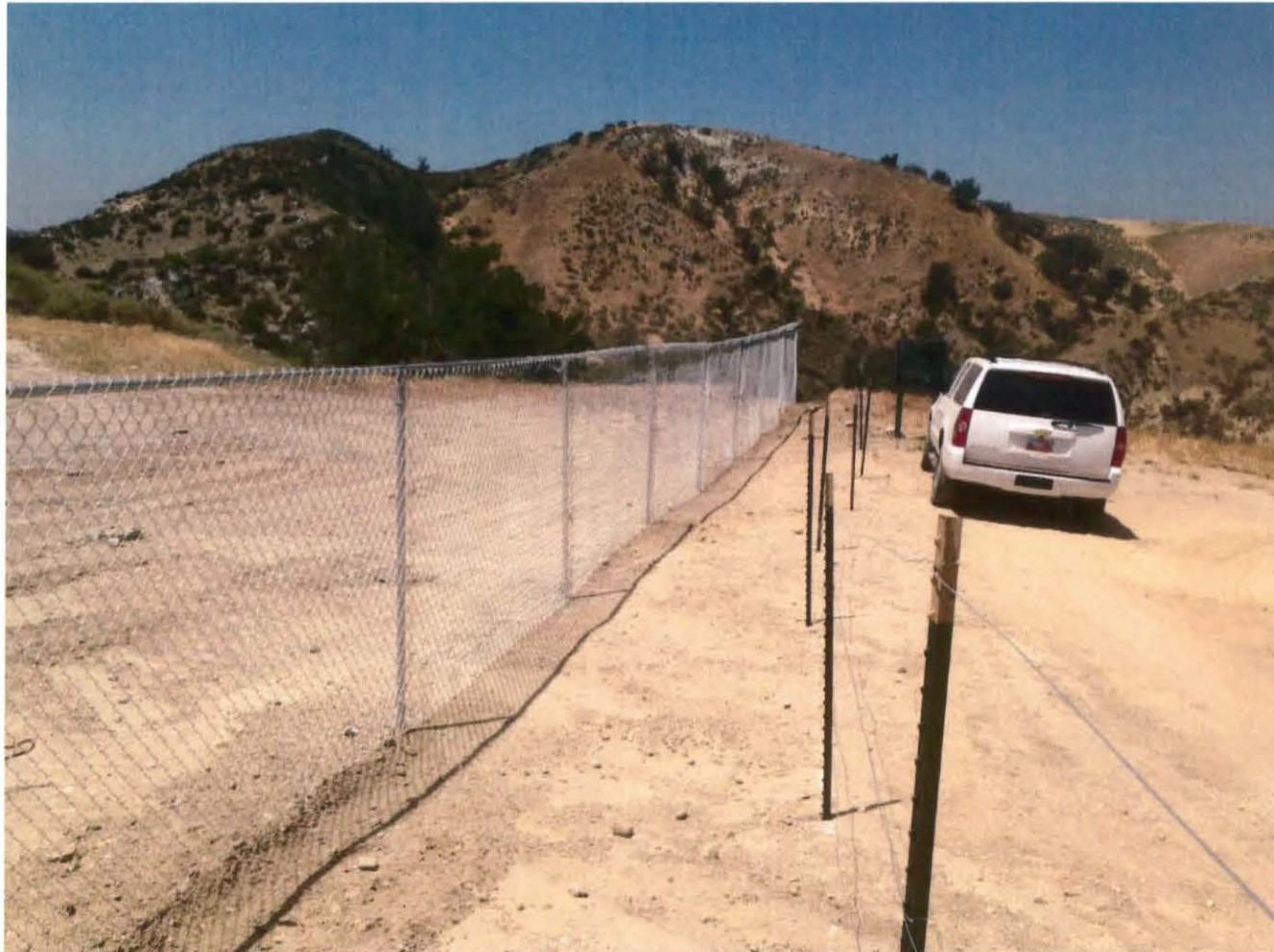


Figure 13:

View of the parcel 2821-002-025 area that Mr. Fishback proposes to terrace/fill similar to his operations in the 2821-009-030 and 2821-009-031 parcels. Minor filling using inert materials has already been conducted (arrow). This is located in an old quarry pit. Mr. Fishback indicated that fill operations in this area would be for the reclamation of the quarry site. No application has been submitted to the Regional Board regarding the on-going grading/fill in this area.



Attachment 3

August 4 and 5, 2015 Inspection Reports

Los Angeles Regional Water Quality Control Board

INSPECTION REPORT

Facility Name: Fishback Ranch (Los Angeles County Assessor Parcel Numbers (APNs) 2821-009-030, 2821-009-031, 2821-002-023, and 2821-002-025)

Inspector: Wen Yang, Sr. Engineering Geologist WR August 5, 2015

Reviewer: Rebecca Chou, Sup. WRCE RC 8/14, 2015

Purpose: To investigate site conditions in response to a complaint from the Santa Monica Mountains Conservancy

Date of Inspection: August 4, 2015, 8:30 AM - 11:00 AM

Weather: Sunny. No rain in the area in the days preceding the inspection.

Also Present: Valerie CarrilloZara from the Regional Board 401 Certification Program and Ranger Tony Scattaglia from the Santa Monica Mountains Conservancy participated in the site visit.

Background: Mr. Wayne Fishback owns large parcels of property in the Brown's Canyon and Devils Canyon area in Chatsworth, Los Angeles County (Figure 1), and has been conducting grading/terracing and inert waste filling/stockpiling operations in at least three of his parcels (APNs 2821-002-023, 2821-002-025 and 2821-009-030) and one neighboring parcel (APN 2821-009-031) owned by Mr. Charles Lee. On October 20, 2014, Mr. Fishback and Mr. Lee were issued letters of exemption (LOEs) by Regional Board staff stating that Clean Water Act section 401 certification and waste discharger requirements (WDRs) were not required for proposed grading and inert waste reuse in APNs 2821-009-030 and 2821-009-031.

On February 25, 2015, the Los Angeles County Department of Public Health Solid Waste Management Program, acting as local enforcement agency (LEA) to the California Department of Resources Recycling and Recovery (CalRecycle), issued a Cease and Desist and Corrective Action Order to Mr. Fishback for disposal of solid waste and/or the deposition of fill without required solid waste facility permits, notifications, engineering specifications, or exemptions as may be applicable, in APNs 2821-002-023 and 2821-002-025. On April 30, 2015, the LEA issued similar Cease and Desist and Corrective Action Orders to Mr. Fishback and Mr. Lee for similar activities at APNs 2821-009-030 and 2821-009-031, respectively. On May 12, 2015, Regional Board staff revoked the LOEs issued on October 20, 2014, following an inspection on May 4, 2015, during which staff observed that grading/disposal operations in APNs 2821-009-030 and 2821-009-031 were extended outside the scope of operations as previously disclosed to the Regional Board.

On July 30, 2015, the Santa Monica Mountains Conservancy reported to the regional Board of possible illegal dumping of wastes in the Devils Canyon

area. The inspection was conducted to assess site conditions in response to the complaint.

**Observations/
Findings:**

The inspection consisted of visual observations made at boundaries between parcels owned by Mr. Fishback and the Conservancy along Browns Canyon Road, as follows:

1. APN 2821-002-025 - There had been significant grading/filling activities in the area since the inspection of May 4, 2015. A small valley connected to Browns Canyon appeared to have been filled with debris. The dirt roads in the parcel appeared to have been re-graded or widened recently (Figure 2).
2. APN 2821-002-023 - No significant change was observed in this area since the inspection of May 4, 2015 (Figure 3).
3. APNs 2821-009-030 and 031 - Waste disposal/terracing activities were going on in the area. At least five trucks were observed hauling wastes to that area during the site inspection. Areas of waste disposal/terracing were obviously increased comparing to what was observed during the May 4, 2015, inspection (Figure 4).

Following up: Ranger Scattaglia and Valerie were set to visit Devils Canyon on August 5, 2015, to conduct further inspections on activities in the area.

Figure 1:
Los Angeles County Assessor Parcels owned by Wayne Fishback (shown in green color)
in the Brown's Canyon and Devils Canyon areas in Chatsworth, California

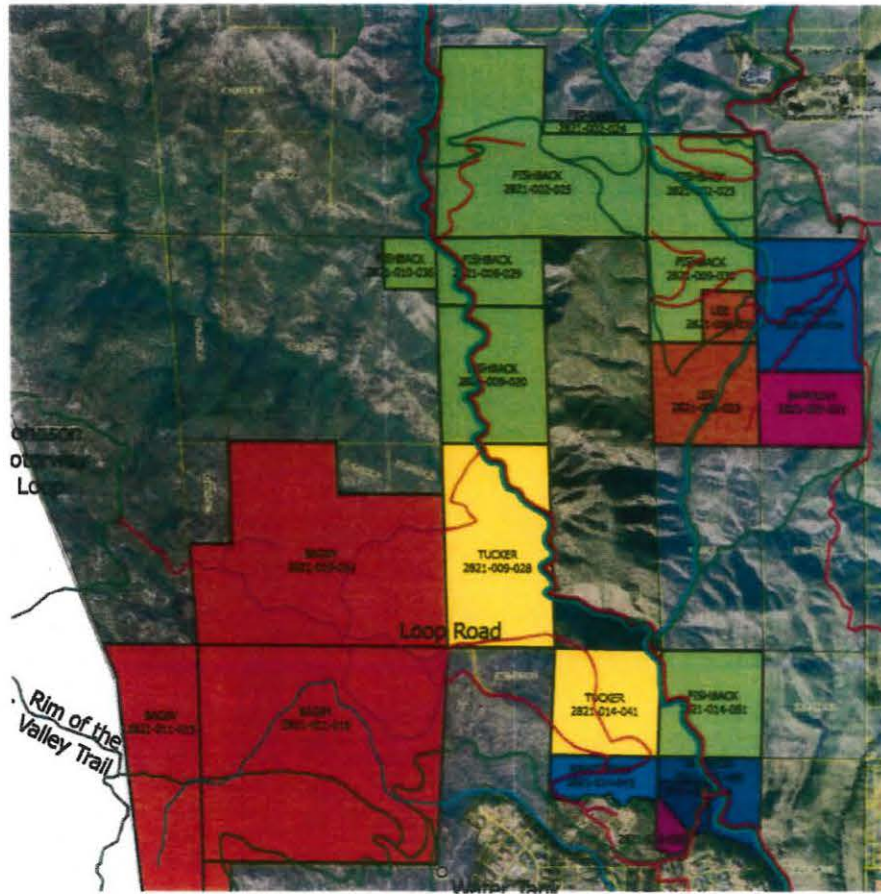


Figure 2: APN 2821-002-025, show areas that had been graded or filled since May 4, 2015.

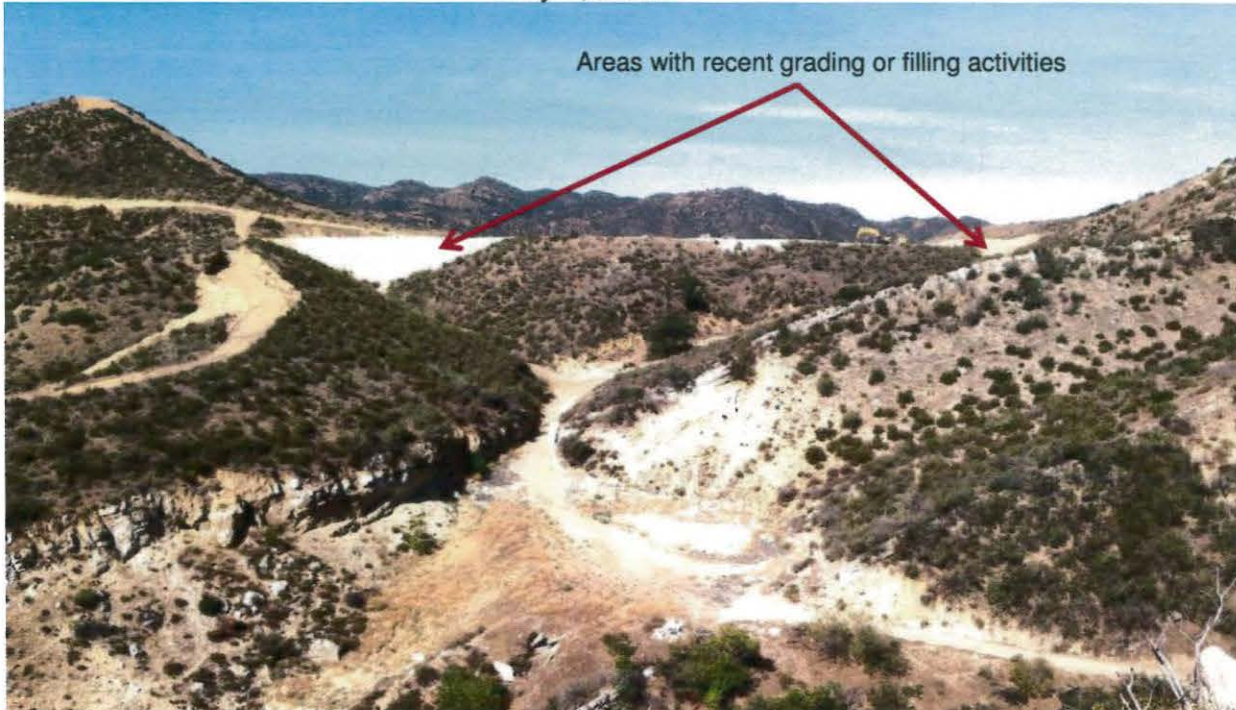


Figure 3: APN 2821-002-023. No significant changes were observed in this area, comparing to what was observed during the inspection on May 4, 2015.



Figure 4: APNs 2821-009-030 and 2821-009-031. Waste disposal/terracing activities were going on. Red circles denote areas that had recently been filled or graded.



Los Angeles Regional Water Quality Control Board

COMPLAINT INSPECTION REPORT

Facility Name: Fishback Property (Landfill Facility)

Facility Address: Browns Canyon and Devils Canyon, APN(s) 2821-002-25, 2821-009-030, 2821-009-031, and 2821-002-023

Inspection Date: August 4-5, 2015

Report Prepared by: Valerie Carrillo Zara, 401 Certification

Purpose of the inspection: To investigate a complaint about illegal landfilling operations in Browns Canyon, within parcels owned by Wayne Fishback

Regional Board Representatives Present: Wen Yang, Land Disposal Unit and Valerie Carrillo Zara, 401 Certification Unit

Background:

On July 31, 2015, Regional Board Staff, Ms. Deborah Smith, received a complaint from Paul Edelman, of the Santa Monica Mountains Restoration Conservation Authority (MRCA) regarding illegal landfilling operations within Devil's Canyon and Brown's Canyon, in unincorporated areas of Los Angeles County. To investigate the complaint, Dr. Wen Yang from the Land Disposal Unit and myself from the 401 Unit inspected the site from MRCA property.

I contacted MRCA to obtain more information about this site. According to MRCA, a new road had been cut across a tributary to reach the Indian Springs side of Devil's Canyon. In addition, significant landfilling activities are occurring within two canyons and side tributaries. One site, bordering on MRCA property, is at the top of Ybarra Creek tributary to Brown's Canyon and the other site is bordering MRCA property on the west of the Fishback parcel (2821-0090-29). There was also a concern that some of the landfilling activities may have impacted land owned by MRCA at various places within the past few weeks.

No applications for Water Quality Certification have been received by the Regional Board for any projects on the parcels owned by Wayne Fishback.

Regional Board staff previously inspected this site on March 4, 2014 and observed areas of fill and stockpiling of construction waste.

The Regional Board had previously informed Mr. Fishback in letters dated October 20, 2014 that the activities at Parcels 2821-009-030 and 031 were exempt from the need for waste discharge requirements based on the activities as proposed by Mr. Fishback. Due to additional activities at the site, the letters were revoked on May 12, 2015.

Inspection Findings:

On August 4, 2015, Regional Board staff Dr. Yang and myself were escorted by MRCA Ranger Tony Scattaglia onto MRCA property in order to view properties owned by Wayne Fishback. During this inspection we remained on MRCA property.

We arrived at approximately 8:30 am and noticed that there were several large areas where landfilling operations were occurring. During the time of our site visit, we observed dump trucks filled with what appeared to be construction waste coming into Fishback property approximately every 10 minutes.

From the MRCA property, we accessed a view of the northern portion of the Fishback property where we observed two very large landfilling deposits. There was evidence of various loads of construction waste being dumped into the canyon at the top of the watershed. Trucks were consistently heading up the newly formed road or bridge and depositing materials into an eastern side canyon within Brown's Canyon (APN2821-0020-23). In addition, Ranger Scattaglia estimated that there approximately 100 or more trucks entering the site each day. I estimated the amount of fill that had already been deposited to be in the order of approximately several thousand cubic yards. The material was placed at the top of the canyon and was falling into drainages within the unnamed tributary. We observed approximately ten (10) dump trucks hauling wastes to that area within the time we were looking at that specific site, during our inspection.

The top of this canyon is one of the locations where it appears that Mr. Fishback has encroached on MRCA land by grading with bulldozers. Paul Edelman from MRCA contacted Mr. Fishback to let him know that he was impacting MRCA property, and he halted the operation in this area immediately. The impacts to potential jurisdictional waters at this location are unknown, because the tributary has been filled from the top of the watershed.

On August 5, 2015, I investigated the Fishback property from MRCA land to the west of the landfilling area. From the western side of the project, there is a new road that has been graded and a berm/dam has been constructed for several hundred feet from Brown's Canyon to Devil's Canyon. The berm/dam is composed of dirt fill and it is unknown as to whether or not the road crossing this dam is engineered and/or properly compacted.

The new road construction leads to one of the main tributaries of Devils' Canyon and at the terminus of the road is a newly constructed truck turn-out and what appears to be a location where fill may be discharged into the tributary. There is no way to see all of this location from

outside of the Fishback parcel. The road construction also borders (and may be encroaching on MRCA property) on one of the western side tributaries of Devil's Canyon.

Conclusions:

- Mr. Wayne Fishback has acknowledged that he's "only impacted a few feet of MRCA property," according to Ranger Tony Scattaglia and Paul Edelman (MRCA).
- Mr. Fishback has indicated to Ranger Tony Scattaglia, that he's building a "bridge," which appears to be the berm/dam from Brown's Canyon heading northwest toward Devil's Canyon.
- There have been significant grading/filling activities in Parcels 2821-002-025. A small valley connected to Brown's Canyon seems to have been blocked by a dam of dirt fill. There is also evidence of new road construction from Brown's Canyon to Devil's Canyon.
- There have been new waste disposal/terracing activities at Parcels 2821-009-030 and 031 since the March 4, 2014 inspection.
- No significant change was observed at the huge waste filling area in Parcel 2821-002-023, where Mr. Fishback has claimed to be a temporary stockpile, since the last time Wen Yang had visited this site.
- A large dam or berm has been constructed on the western side of the Fishback property, with a new road being constructed to the west/southwest direction.
- The area where the new road construction ends has a constructed truck turn-out area and appears to be a newer site for landfill dumping in Devil's Canyon (see Figure X).

See attached photographs.

Los Angeles Regional Water Quality Control Board



Figure 1: View facing east, of the stockpiling area within the unnamed tributary in Brown's Canyon.



Figure 2: View facing down into the unnamed tributary of the construction debris stockpiling area.



Figure 3. View of the top of the graded area of the canyon. Stockpiled materials on the eastern side of the graded slope.



Figure 4: View facing southwest into the unnamed tributary with construction debris/waste materials.



Figure 5. View from the unnamed tributary toward the east, depicting areas which have been graded into access roads to fill portions of the tributary below.

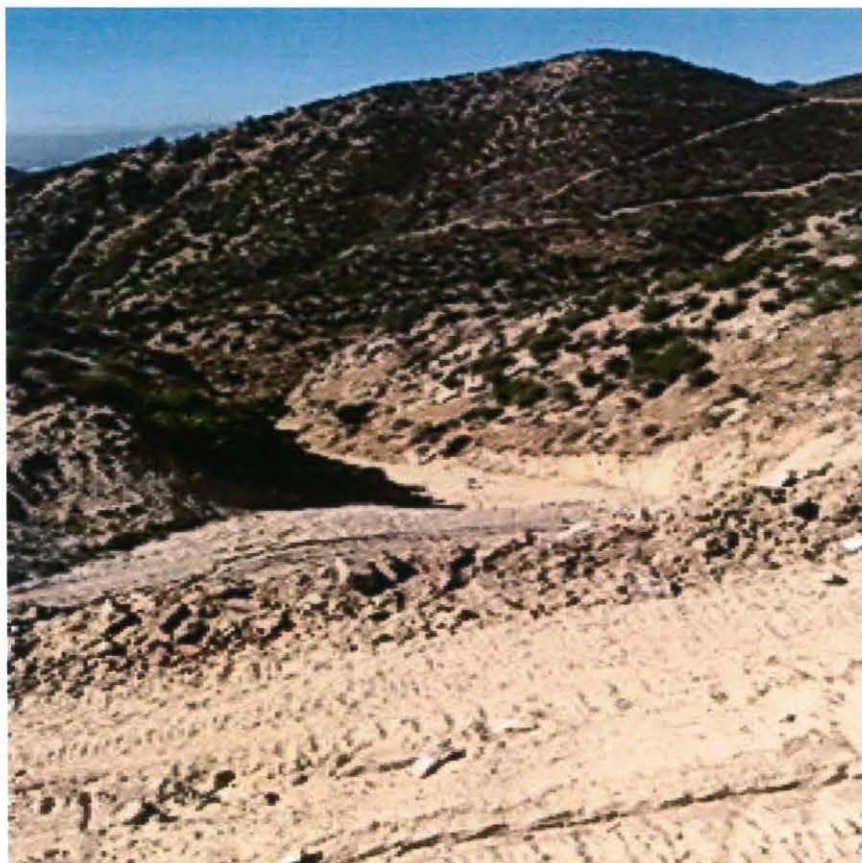


Figure 6. Graded road entering into the canyon and impacting the unnamed tributary.



Figure 7. View of the east slope and construction debris stockpiling.



Figure 8. View facing west of the stockpiling areas where fill (construction debris) has been discharged into the tributary, filling the canyon from the top. Also, graded road area heading further south into the canyon.



Figure 9. Construction debris in the stockpile including concrete and metal waste.



Figure 9. View facing east of the "bridge" or berm that leads into Devil's Canyon.



Figure 10. View facing west of the cut sloped areas leading to the berm.



Figure 11. View facing west of the graded slope and the fill material that was placed to construct the berm for a road.



Figure 12. View facing west of the stockpiles on both sides of Brown's Canyon. This unnamed tributary feeds into Ybarra Creek downstream.



Figure 13. Graded road and stockpile on top of the eastern slope above the unnamed tributary to Brown's Canyon.

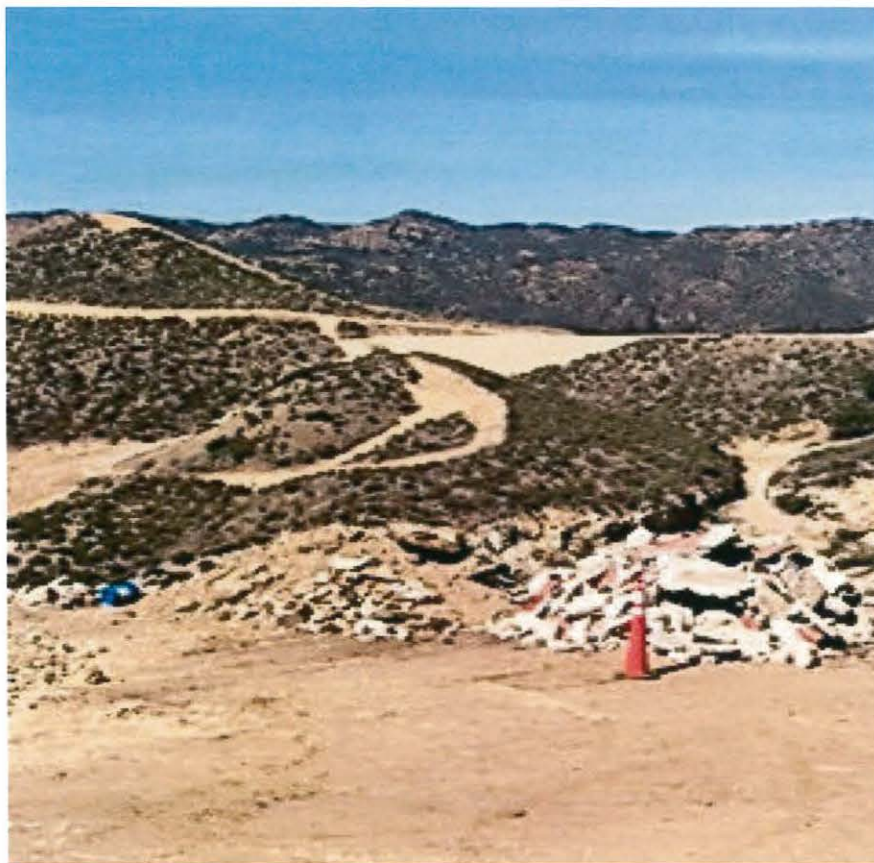


Figure 14. Stockpiles above the unnamed tributary and a view of the berm and cut roads and slopes to the west.



Figure 15. Approximately 3 of these canisters were found in the various construction stockpiles.



Figure 16. View facing southwest into the active portions of Mr. Fishback's property with trucks transporting material toward the west road and berm.



Figure 17. View facing southwest of a filled truck heading toward Devil's Canyon.



Figure 18. View facing east of the Devils Canyon area with the berm/road across the canyon on Fishback property.

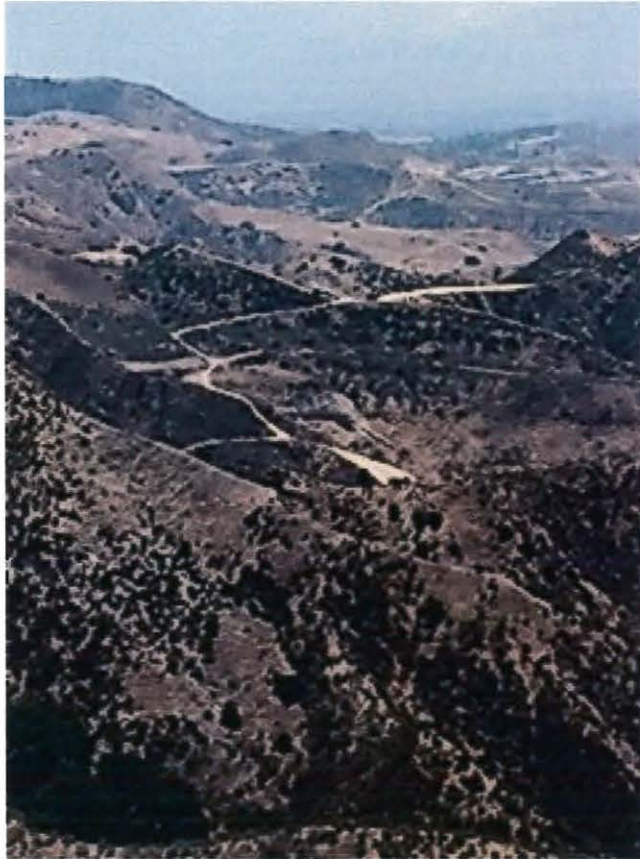


Figure 19. View facing east of the new road construction. Along the top of the road is a bulldozer.

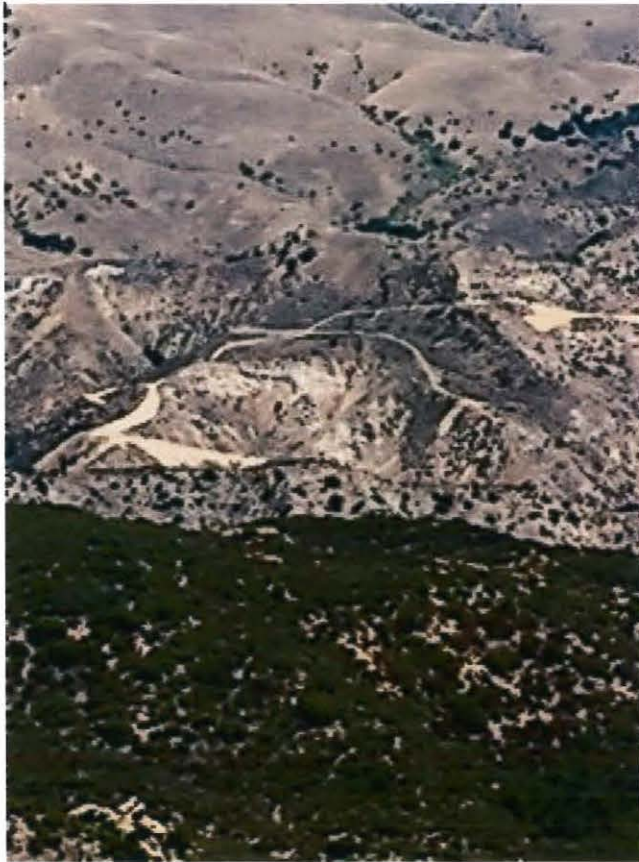


Figure 20. View facing east, from MRCA property toward the newly graded areas on the Fishback property above Devil's Canyon.

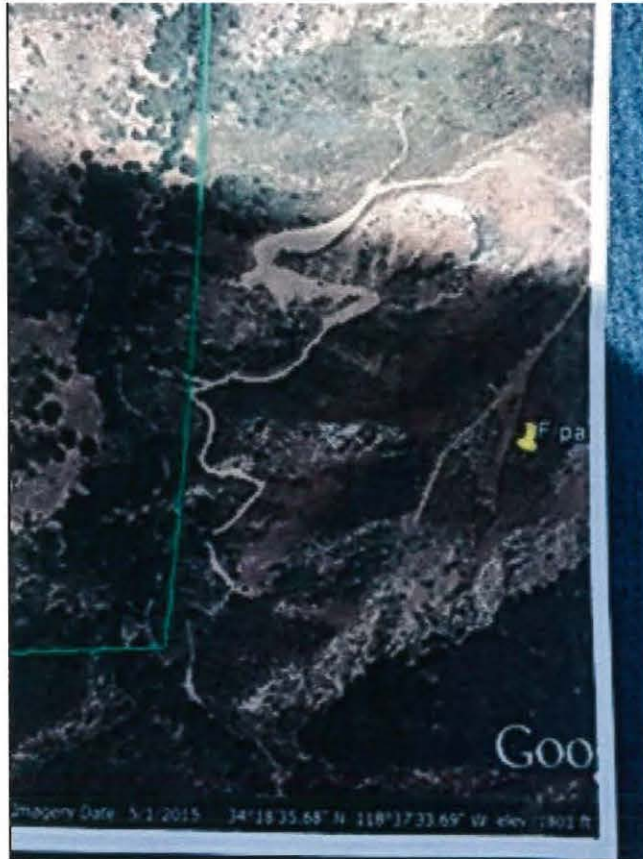


Figure 21. Image provided by MRCA. This image shows the border of the MRCA property to the west and Fishback property to the east. It appears that the road on the Fishback property is slightly encroaching onto MRCA property. This photo was provided by Ranger Tony Scattaglia.



Figure 22. Close up image of property boundary between MRCA property and Fishback property.

Attachment 4

August 10, 2015 Inspection Reports

Los Angeles Regional Water Quality Control Board

COMPLAINT INSPECTION REPORT

Facility Name: Fishback Ranch Property (Landfill Facility)

Facility Address: Browns Canyon and Devils Canyon, APN(s) 2821-002-25, 2821-009-030, 2821-009-031, and 2821-002-023

Inspection Date: August 10, 2015

Report Prepared by: LB Nye, 401 Certification Unit

Purpose of the inspection: To investigate a complaint about illegal landfilling operations in Browns Canyon, within parcels owned/managed by Wayne Fishback

Regional Board Representatives Present:

Enrique Casas, Landfills Unit

LB Nye, 401 Certification Unit

Valerie Carrillo Zara, 401 Certification Unit

Alex Almohammadi, Stormwater Compliance Unit

Background:

On July 31, 2015, Regional Board staff, Ms. Deborah Smith, received a complaint from Paul Edelman, of the Santa Monica Mountains Restoration Conservation Authority (MRCA) regarding illegal landfilling operations within Devil's Canyon and Brown's Canyon, in unincorporated areas of Los Angeles County. An initial inspection on MRCA property was conducted by Regional Board staff Dr. Wen Yang and Ms. Valerie Carrillo Zara on August 4 and 5, 2015.

No applications for Water Quality Certification have been received by the Regional Board for any projects on the parcels owned/managed by Wayne Fishback.

The Local Enforcement Agency (LEA) for CalRecycle has on-going enforcement regarding inert waste disposal/reuse at the site.

Parcels 2821-009-030 and 031 were inspected by Regional Board staff on March 28, 2014 accompanied by staff from California Department of Fish and Wildlife and Army Corps of Engineers. The area of activity on Parcels 2821-009-030 and 031 was not considered include Waters of the United States by the parties present and Ybarra Creek was inspected and

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

considered to be Waters of the United States. Parcels 2821-009-030 and 031 were issued letters of exemption from the need for Waste Discharge Requirements which were later revoked.

Inspection Findings:

On August 10, 2015, shortly after 10 am, the Regional Board staff listed above were escorted by Mr. Wayne Fishback (Mr. Fishback) and his son Mr. Todd Fishback onto Mr. Fishback's property. We were accompanied, also, by County of Los Angeles Engineers Mr. Michael Harmon and Mr. Iheanacho Ofo. Mr. Chris Mastro of the County of Los Angeles Department of Health Services and the representative of the LEA, had also arrived to accompany us but was not invited by Mr. Fishback onto his property. Mr. Fishback gave Regional Board staff permission to take photographs and during most of the inspection Mr. Todd Fishback recorded video with his cell phone. Mr. Fishback stated that all of the "improvement" (his word) was for agriculture.

Mr. Fishback did not present a comprehensive project plan for his construction activities at the site. He made reference to a generic plan submitted as part of an IDEFO application to the LEA. The plan only includes a description of areas which may be graded/terraced but does not include specific construction plans nor ultimate specific land use.

A layout of the Fishback properties is included as Figure 1. This Figure was provided by MRCA. An annotated Google map showing areas of activity is included as Figure 2.

From Brown's Canyon Road, next to the site, and continually during the inspection, we observed trucks both entering and leaving the site. Approximately 60 trucks entered during the three hour period of the inspection. Figure 3 shows the first site next to Ybarra Creek, from Brown's Canyon Road.

We entered the site in several vehicles, from Brown's Canyon Road, through parcel 2821-009-34 through which Mr. Fishback has an easement. This section of road travels down to Ybarra Creek. Parcel 2821-009-34 has an area of corralled horses, caged doves and chickens and loose goats within 10 to 30 feet from Ybarra Creek on the south side. Also, in this area are several corralled horses with access to Ybarra Creek. Mr. Fishback said that these were his horses and that he was responsible for the operation at this horse corral. Mr. Fishback had built a small (approximately 3 foot wide) arizona crossing through Ybarra Creek, Figure 4. This crossing was completed without permits including Clean Water Act Section 404, 401 or Fish and Game, Streambed Alteration Agreement.

Directly on the other, north, side of Ybarra Creek, approximately 15 feet from Ybarra Creek, is a stockpile of rock and dirt on a steep slope, Figure 5. Mr. Fishback said he was going to build a "detention basin" at the base of the slope but at the time of the inspection there were no BMPS implemented which would control sediment and a rainstorm would cause the rock and soil to enter Ybarra Creek.

This site on the north side of Ybarra Creek is where Regional Board staff inspected on March 28, 2014 and where the exemption letter applied. This area was greatly transformed since 2014 by cutting filling and terracing. Figure 6 shows the area of terracing with concrete.

We stopped at the wide terrace (above the area pictured in Figure 6) near the top of the local terrain. Mr. Fishback stated he might put a greenhouse on this wide terrace. At this wide terrace were stockpiled several types of construction waste, asphalt, small (fist-sized) concrete debris, larger concrete debris, larger concrete debris with rebar, very large concrete boulders (approximately 2 to 4 feet across), and rock boulders. Mr. Fishback said they would use the large concrete boulders to prevent erosion from local, undeveloped, ravines. Near the edge of the terrace above the slope with the concrete terracing were stockpiles of mulch. Mr. Fishback stated he might apply the mulch to the steep slope below and hydroseed.

There were new roads extending the site to the north (and west), continuing the first site to the north and connecting Brown's Canyon to Devil's Canyon. We drove as far as we could on the soft roads and then proceeded on foot. Much of the surface of the terraced areas and access roads were very soft with as much as 6 to 8 inches of loose, super fine, sand or silt. Because these new roads between Brown's Canyon and Devil's Canyon were composed of super fine sand, passage of wheeled vehicles would be difficult; however tracked vehicles could pass. We saw tracks from tracked vehicles in the sand.

At the end of the new roads is the newest site of activity. Mr. Fishback called it a "concrete stockpile" area, Figure 7. There were a few stockpiles of concrete in this area. To the left of the graded area seen in Figure 7 is a ravine area which Mr. Fishback stated would be partly filled for maybe a greenhouse, Figure 8.

Mr. Fishback also described plans to cross Ybarra Creek from this location so that he could access Brown's Canyon Road from his property.

At this new site, we also observed how Mr. Fishback was building up the protection for the slope to the west (towards Devil's Canyon), Figures 9 and 10.

Conclusions:

- The Arizona crossing is a dredge and fill activity in a Water of the United States which requires Clean Water Act Section 404 and 401 permitting and which was not permitted.
- Due to the loose silty fill material on the terraced areas and access roads resulting from the grading and landfilling activities, there is a significant sediment storm risk to Ybarra Creek and also to tributaries to Devil's Canyon Creek
- There has been significant grading/filling activities in Parcels 2821-002-023 and 025 beyond the areas inspected by Regional Board staff on March 28, 2014.

- Water quality in Ybarra Creek would be better protected if the livestock were prevented from entering and kept a distance from Ybarra Creek on parcel 2821-009-34 (not Mr. Fishback's property)

Figures



Figure 2. Google maps image representing the landscape **prior** to establishing the new roads to the north and the establishment of the area of new activity.



Figure 3. This photo was taken from the parking area on Browns Canyon Road looking roughly southwest. The truck route is the dirt road on the left going down to Ybarra Creek. Ybarra Creek is the green ribbon in the center. The first area of impact of lots 2821-009-030 and 031 is in the center of the photo. New roads continue to the right. (LB Nye)



Figure 4. Arizona Crossing through Ybarra Creek. (LB Nye)



Figure 5. Stockpile next to Ybarra Creek. (Enrique Casas)

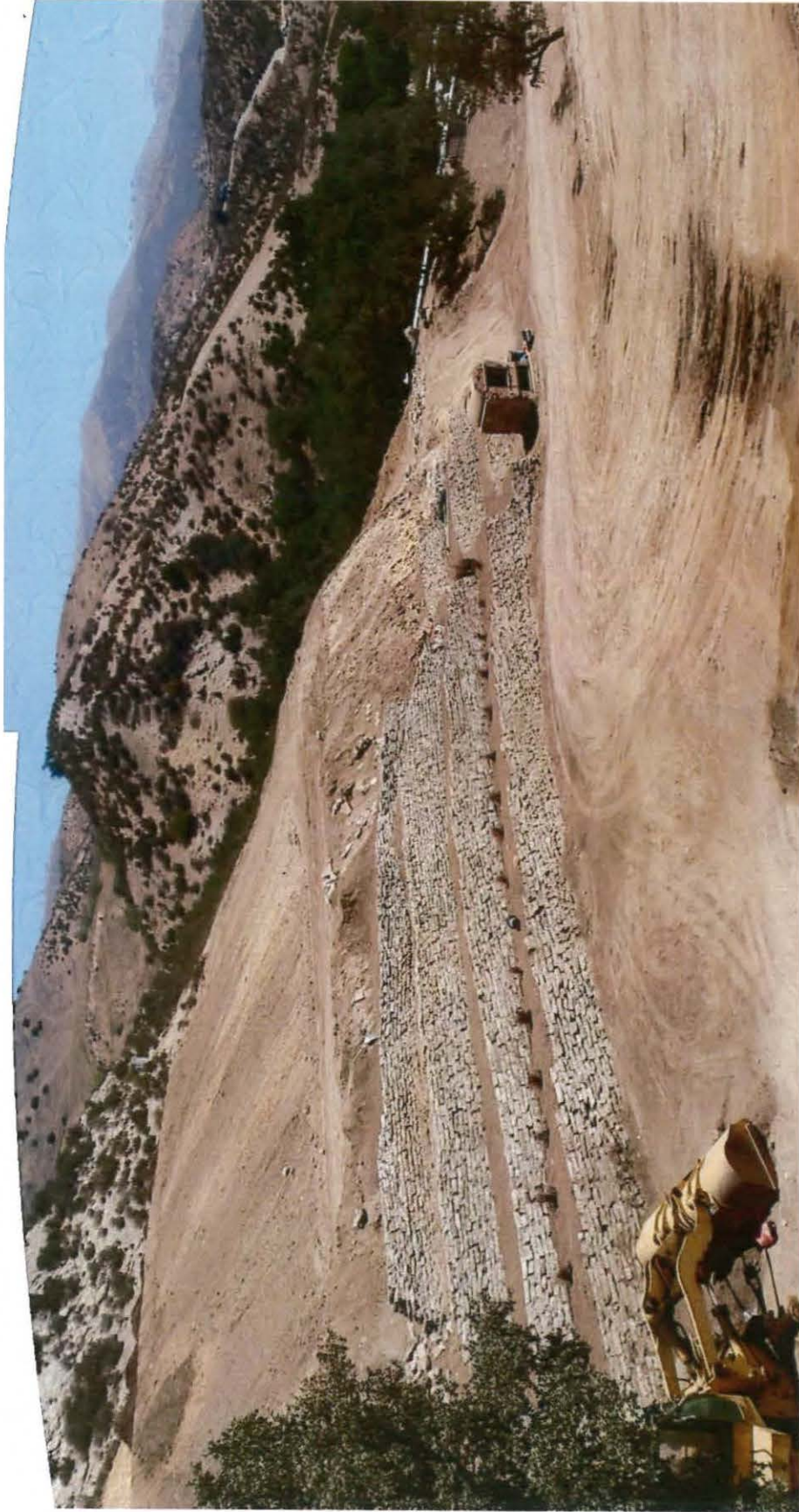


Figure 6. Terracing with concrete. (Enrique Casas)

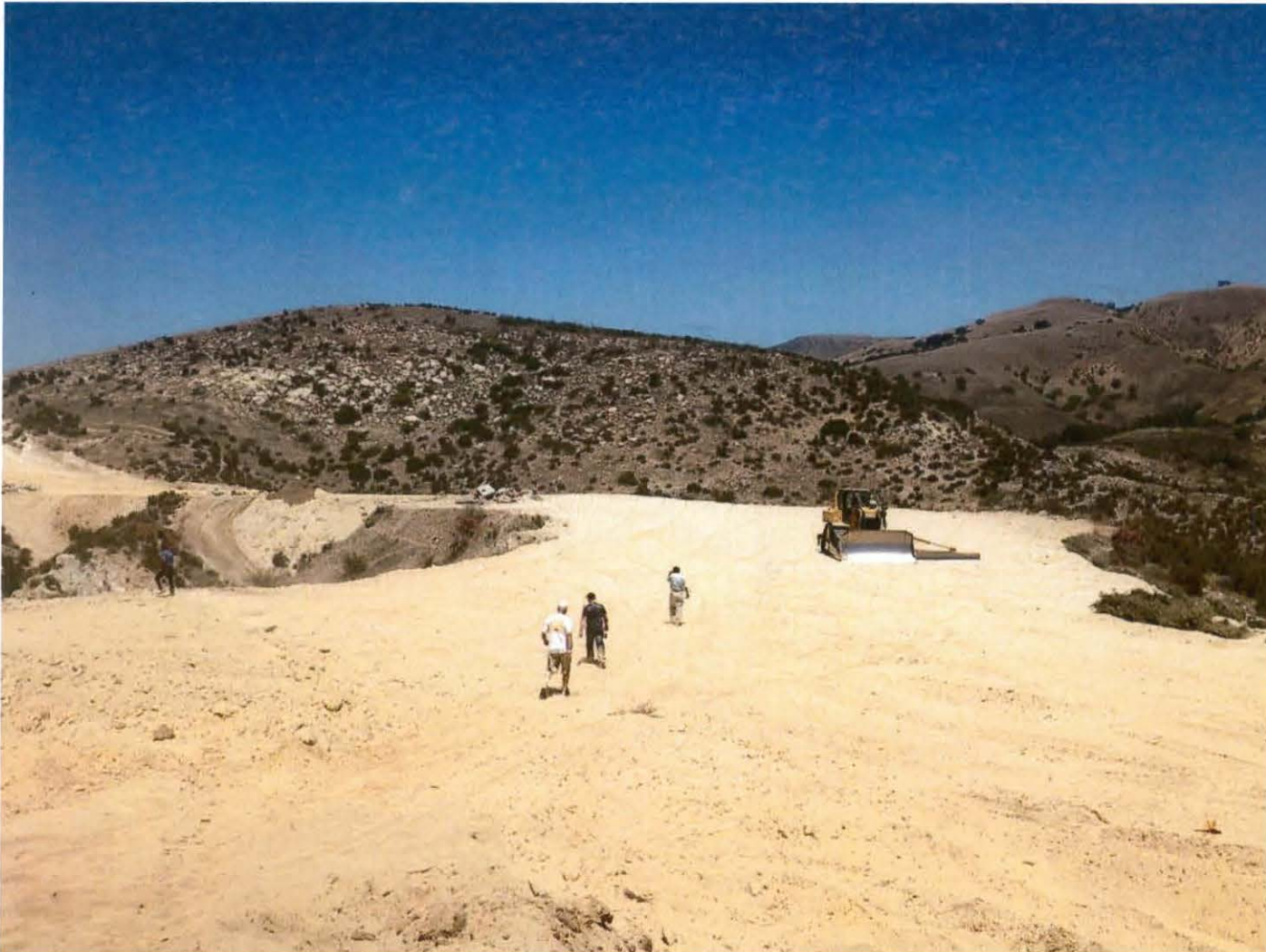


Figure 7. New area of activity for "concrete stockpiling. To the left is a tributary to Browns Canyon and to the right is Ybarra Creek. (LB Nye)



Figure 8. New area of activity for “concrete stockpiling.” On the left is the new road to the area and the “concrete stockpiling” area is in the distance. The steep slope ‘road’ in the center left leads to the ravine which Mr. Fishback says may be partly filled for a greenhouse. (Enrique Casas)



Figure 9. Todd Fishback, Valerie Zara and Wayne Fishback (left to right) down the slope to an area where filling of the slope has begun. This ravine leads to Devils Canyon. Alex Alimohadammi and Enrique Casas are in the distance in the area shown in Figure 6. (LB Nye)



Figure 10. Area where filling of the slope has begun. The ravine below is a tributary to Devil's Canyon. (LB Nye)

Mr. Wayne Fishback

11326-11524 Browns Canyon - Chatsworth

Land disturbance Inspection

8/10/15

Present at the site:

I. Regional Board:

1. Landfill disposal
2. Storm water – Compliance /Enforcement
3. 401 Certification

II County of LA:

1. Department of Public Works
2. Department of Health Services

Property owner and his son

Purpose of my inspection was to verify if the property owner Mr. Wayne Fishback (owner) had disturbed more than an acre and verify if the disturbed area was used for agricultural activities.

Findings:

As it is shown in attached pictures, the owner had disturbed several acres. It is not possible to accurately assess the acreage without a topo map, since the soil disturbance had occurred in several locations.

It appears that he is continuously doing construction activities. Trucks were delivering in-earth material continuously. Per the owner, he is planning to backfill different areas of the site, level them up, and use them for planting edible vegetables in the future. Also, the owner mentioned building horse stables and green houses for tomatoes.

Many different slopes had been disturbed. There were no BMPs in place for slopes or for the roads. The owner had dug out an earthen area as a detention basin at the toe of one of the slopes. It was unclear if this earthen basin was engineered or arbitrarily dug out. Regardless, it did not appear to have sufficient volume to handle the sediment run off from the adjacent slopes.

At the end of the 3 hours inspection, the owner told me personally that he was planning to implement BMPs such as hydro-seeding for the slopes.

Recommendations:

If the owner is planning to use the disturbed areas for agricultural purposes in the future, he should protect the slopes and implement BMPs (now) at the disturbed areas of the site to prevent erosion and sediment run off.

It is predicted and expected that the region may get more than the average rainfall for the region during the coming rainy season. If as predicted heavy rainfall comes, this rainfall will result in massive erosion at the site.

Alex Alimohammadi

Mr. Wayne Fishback

11326-11524 Browns Canyon - Chatsworth

Land disturbance Inspection

8/10/15



Mr. Wayne Fishback

11326-11524 Browns Canyon - Chatsworth

Land disturbance Inspection

8/10/15



Mr. Wayne Fishback

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Land disturbance Inspection

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Mr. Wayne Fishback

11326-11524 Browns Canyon - Chatsworth

Land disturbance Inspection

8/10/15

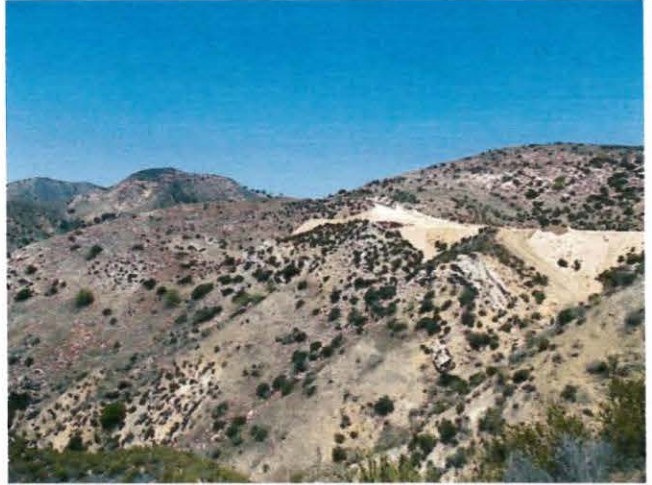


Mr. Wayne Fishback

11326-11524 Browns Canyon - Chatsworth

Land disturbance Inspection

8/10/15



Attachment 5

September 17 and 18, 2015
Inspection Reports

Los Angeles Regional Water Quality Control Board

INSPECTION REPORT

Facility Name: Fishback Ranch Property (Site)

Date of Inspection: September 17 and 18, 2015

Date of Report: October 1, 2015

Purpose of the Inspection:

To determine if the rain event that took place on or about September 13, 2015 resulted in a discharge of waste or sediment to waters of the United States.

Representatives Present from Fishback Ranch Property:

Mr. Barton Wayne Fishback, Property Owner. (Mr. Fishback)
Mr. Todd Fishback
Mr. Larry Flower, Videographer
Mr. Philip J. Sherman, Professional Registered Engineer (no registered in California)

Los Angeles Regional Water Quality Control (Regional Board) Board Staff

Representatives Present:

Mrs. Pavlova Vitale
Mr. Enrique Casas
Mr. Dana Cole
Mr. Alex Alimohammadi
Mrs. Luz Vargas

Background:

Mr. Barton Wayne Fishback is developing an area of Ybarra Canyon, including ravines that are tributary to Devil's Canyon. Activities include alteration of the natural land surface in the area, large scale earthwork activities such as cutting and filling stream courses, and disposal of construction debris. The parcels in Los Angeles County that have been impacted include 2821-002-023, 2821-002-025, 2821-009-030, and 2821-009-031 (the Site). The Site is located north of San Fernando Valley within the Santa Susana Mountains (Figure 1), in Los Angeles County and is in the Los Angeles River Watershed. Portions of the Site are in Ybarra Canyon and Devil's Canyon. Ybarra Creek and Devil's Canyon Creek flows into Browns Canyon Creek, thence to the Los Angeles River. The topography of the Site is undulating and hilly, with heavily incised canyons and drainages. The Site's soil characteristics are very sandy with mixtures of shale and clay. The property in question is surrounded by the Santa Monica Mountains Conservancy (SMMC) property, Mountains Recreation and Conservation Authority (MRCA) property, Michael D. Antonovich Regional Park, and other private properties.

The amount of rain that falls within Santa Susana Mountains, according to data gathered from rain gauge monitoring stations is significant and poses a threat of releasing great amounts of waste and sediment from the Site into Ybarra Creek, Devils Canyon Creek, and thence to the Los Angeles River¹. The Santa Susana Mountains rain gauge monitoring station is located 7.1

miles southwest from the Site, the Chatsworth rain gauge monitoring station is located 4.8 miles south east from the Site, and the Aliso Canyon is located 4.8 miles northwest from the site. According to these rain gauge monitoring stations the Santa Susana Mountains, which range from 1,800' to 2,000' in altitude, receives significant amounts of rain. The amount of rain that fell from 1980 to present, ranges daily from 0.01" - 4.90", monthly 0.03" - 17.06", annually 4.51" - 17.06", with a mean of 15.9". In addition, during the El Niño event of 1982 - 1983, the amount of rain that fell in the mountains was 32.51" within one year, and of that amount, 8.64" fell from March 1 to March 4. During a second El Niño event that occurred from 1997-1998, the amount of rain that fell was 17.06" in one year, of that amount 9.22" fell from February 1 to February 10. Another 5.08" fell from February 22 to February 24.

Inspection Findings:

The inspection of the Site was conducted on two consecutive days, September 17, and 18, 2015. Mr. Fishback granted Regional Board staff access and permission to take photographs of the site on both days.

On September 17, 2015, we conducted an inspection to observe, from outside the boundaries of the Site, the impacts of the September 13, 2015 rain event on Mr. Fishback's ongoing development in Ybarra Canyon, including ravines tributary to Devil's Canyon, without accessing the Site. We arrived at the Site at 10:10 a.m., and parked our vehicles in a public area located on Brown's Canyon Road across the street from the entrance to Mr. Fishback's property. From this area, we observed heavy trucks coming in and out of the Site. Mr. Fishback was exiting the site and then approached us and asked us what we were doing there since we had an appointment to inspect his property the following day. He appeared agitated but wanted to take us to see the area where he asserted that Dr. Wen, Yang, Regional Board staff, was alleged to have trespassed during a prior inspection. Because Mr. Fishback stated that he was very busy responding to enforcement action from the County of Los Angeles, Mr. Casas respectfully stated that we did not want to impose our presence on him and we left the Site at approximately 11:00 a.m.

On September 18, 2015, we arrived at the Site at 10:24 a.m., and parked our vehicles at the same public area as before. Mr. Fishback conducted a brief meeting to make introductions, and to make us aware that he was videotaping the inspection. Present during a portion of the inspection was Todd Fishback, who videotaped part of the inspection on his cell phone. Mr. Fishback provided the following four documents for reference: a series of nine plans (six of which are marked preliminary) titled The Process of Converting Solid Waste to Beneficial Waste; a series of three plans (all marked preliminary) titled Land Use Master plan; a draft Conservation Plan map for The Ranch at Rocky Peak; and a Court Declaration of Tracy Swann.

Construction and grading activity was observed in is occurring at four distinct areas of the Site. Area 1 is a slope adjacent to Ybarra Creek on the southeast portion of the property. Area 2 is north of Ybarra Creek. Area 3 is in the central portion of the Site and northwest of Ybarra Creek, and Area 3-A, to the northwest of Ybarra Creek. Mr. Fishback guided us to see Area 2 (Google image 1 and 2). During the inspection of Area 2 it was noted that Mr. Fishback had graded and had stockpiled waste in a ravine (photos 1-11) that is in the Ybarra Creek drainage. The waste includes pieces of broken concrete, brick, tile, and soil. Below the stockpile, the ravine appeared to have been recently graded (photos 4, 5, 6, and 7). The graded ravine was very steep and without erosion controls or effective best management practices (BMPs) on site. There were fresh rills that appeared to have been recently created. At the toe of the slope, proximal to Ybarra Creek, Mr. Fishback built what appeared to be a detention or desilting basin. The detention or desilting basin did not appear to have been engineered to contain sediment

releases from unprotected slopes (photos 7-9). The bottom of the detention or desilting basin contained large chunks of concrete and an exterior berm of what appeared to be locally derived soils (10 and 11). Mr. Fishback stated the stockpiled waste will be used to construct access to Ybarra Creek, where he plans to build a bridge across the creek. Mr. Fishback acknowledged that in previous inspections, US Army Corps of Engineers staff informed him that in order to build the bridge he will require a Clean Water Act, Section 404 permit. Mr. Fishback asked Regional Board staff if he needed to obtain a Clean Water Act, Section 401 Water Quality Certification (Certification) for removing abandoned cars from the creek. Regional Board staff informed him that he did need Certification to conduct work in the creek. Mr. Fishback stated that the detention / desilting basin was built for an agricultural project and not for a construction project. Regional Board staff informed Mr. Fishback that the construction regulations apply to land disturbances as well. Mr. Fishback stated that he probably will hydroseed or apply some sort of protection to the slopes for the rainy season. Then Mr. Fishback led us to a portion of the Site defined as Area 3 and 3(A) (Google image 1 and 3), this area includes Devil's Creek and Ybarra Creek.

Area 3 and Area 3(A) of the Site has prominent undulating hills and steeply incised ravines (Google Image 1 and 3). This area was graded and part of the native vegetation was removed (photos 12-20). A portion of this area consisted of asphalt debris (photos 13 and 14). Mr. Fishback stated that he planned to build a pond and stabilize hilly areas prone to erosion. Then Mr. Fishback took us to see Devils Creek located further down Devils Canyon. The road leading to the creek was recently re-graded by Mr. Fishback. Some areas of the road have gravelly and loose sandy soils that were being dislodged into the canyon below (photos 22-27). Mr. Fishback had stated that the area that the soil from the road was ending up will be converted into a pond (photos 27 and 28). According to Mr. Fishback, he was informed that the area is not jurisdictional and does not require permits to convert it into a pond. No disturbances, equipment, or machinery were observed in Devils Canyon Creek (photos 28-30). Long horn cattle were observed freely rooming in this area. After a long hike, Mr. Fishback guided us to Area 1 of the Site (Google image 1 and 4).

Area 1 of the Site is characterized by undulating hills and steeply incised ravines (Google Image 1 and 4). This area has been extensively graded (photo 31). This area included several stockpiles of waste, three recently graded slopes and terraces (photos 31-33). At the end of the second terrace, Mr. Fishback had built a basin and stated that his plans are to convert it into another pond. In addition, Ybarra Creek is located east of this area and is located adjacent to the recently graded hill (photos 33-34). According to Mr. Fishback, he graded the hillside using native sand and imported clay. He stated that this is the only site where he used imported clay. At the time of the inspection, his staff was installing silt fencing at the toe of the slope immediately next to Ybarra Creek. Ybarra Creek in this area is within a neighboring parcel not owned / managed by Mr. Fishback. We did not inspect Ybarra Creek to prevent trespassing onto private property (photos 35-36). On the neighboring property, there were stables with horses, cages with pigeons, chickens; and goats that roamed freely in the property. As we prepared to leave, Mr. Fishback approached a Regional Board staff and stated; "I want you to give Samuel Unger (Regional Board Executive Officer) a message. Tell him I need to maintain a trail that runs through Devil's Creek. In order to do that I need to bring in heavy equipment to remove the trash, and there is no way I can afford the thousands of dollars in permitting fees."

Conclusions:

The Site drains into Ybarra Creek and Devil's Canyon Creek to Browns Canyon Creek, thence to the Los Angeles River, a water of the state and United States.

Mr. Fishback has conducted extensive grading, and stockpiling of wastes on the Site. The stated purpose of the grading activities is for agricultural purposes.

The graded areas and stockpiled waste did not have adequate erosion controls or best management practices in place. A silt fence being installed at the base of a large slope directly adjacent to Ybarra Creek did not appear to be an effective BMP to prevent sediment from being discharged into Ybarra Creek

Mr. Fishback informed Regional Board staff of his plans to construct a bridge across Ybarra Creek, additional grading, site stabilization, and construction of several ponds, and to remove several abandoned cars and debris from Devils Creek using heavy equipment.

Historical rain gauge data from nearby monitoring stations show the amount of rain that rainfall in the area can be significant and poses a threat of mobilizing waste and sediment from the Site water of the state and United States.

Mr. Fishback has not applied for, and the Regional Board has not issued, a Clean Water Act Section 401 Water Quality Certification for the dredge and fill activities in Waters of the United States.

Mr. Fishback has not enrolled in a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ (Construction General Permit), prior to initiating construction activities that discharge waste.

Attachments:

September 17 and 18 2015 Inspection Photos and Images

Land Use Master Plan Map

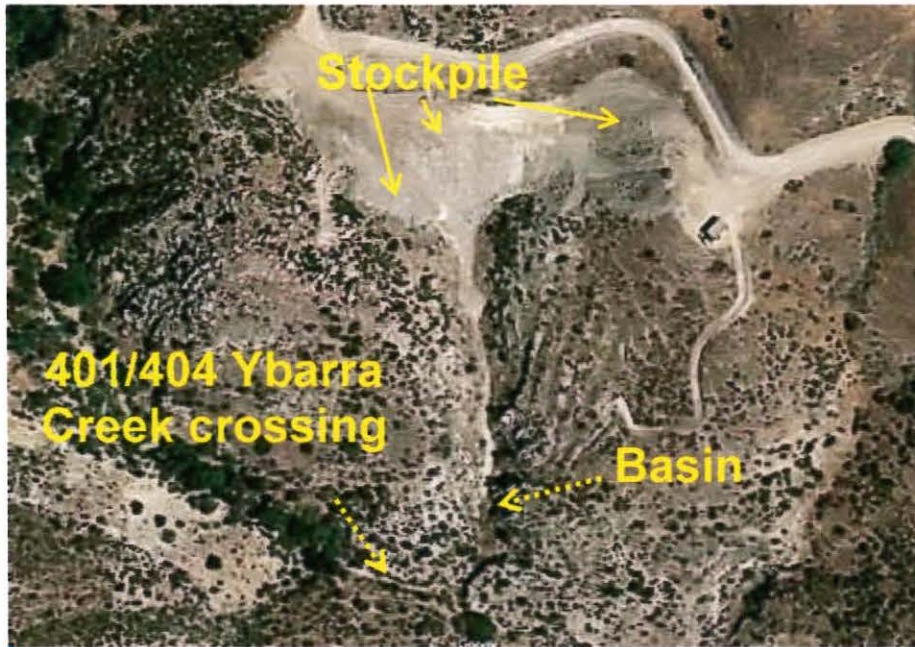
Conservation Plan Map

Declaration of Tracy Swan in Support of Plaintiff's Application for an Order to Show Cause Re: Preliminary Injunction.

Inspection Photographs and Images



Google Image 1. Image showing areas that have been graded at the Site.



Google Image 2. Close up views of the area labeled Area 2 in Google Image 1, above. The Area is in parcel 2821-002-023 area of the Site. Mr. Fishback has created a large stockpile of construction debris in the Ybarra Creek drainage for the stated purpose of constructing access to, and a bridge across, Ybarra Creek. In addition to the stockpile, Mr. Fishback has graded the ravine to construct a desilting basin near the base of the ravine in the area of Ybarra Creek and the proposed bridge crossing.



Photo 1. View looking southwest from edge of a recently constructed sediment basin towards Ybarra Creek in the area of a proposed bridge crossing of Ybarra Creek.

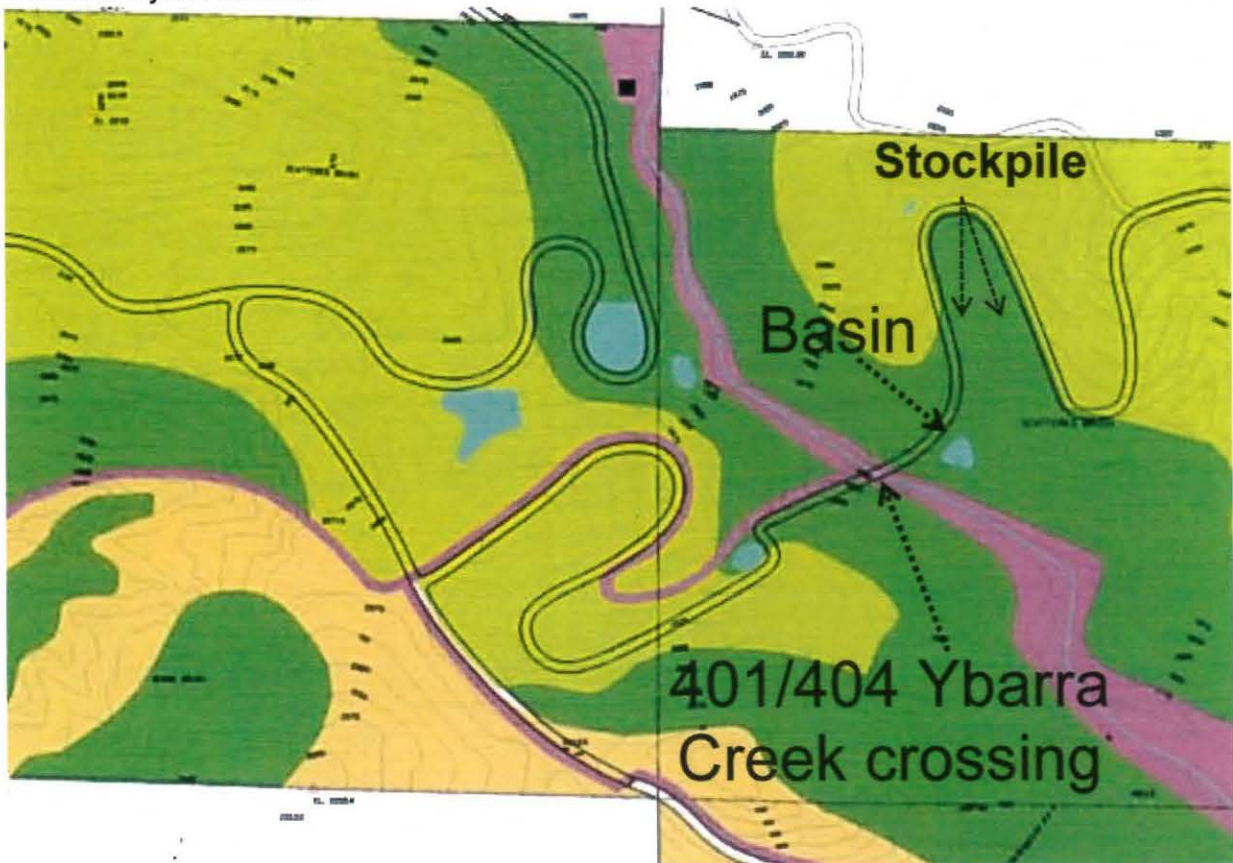


Figure 2. Copy of a portion the Land Use Master Plan marked preliminary, showing the planned crossing of Ybarra Creek.

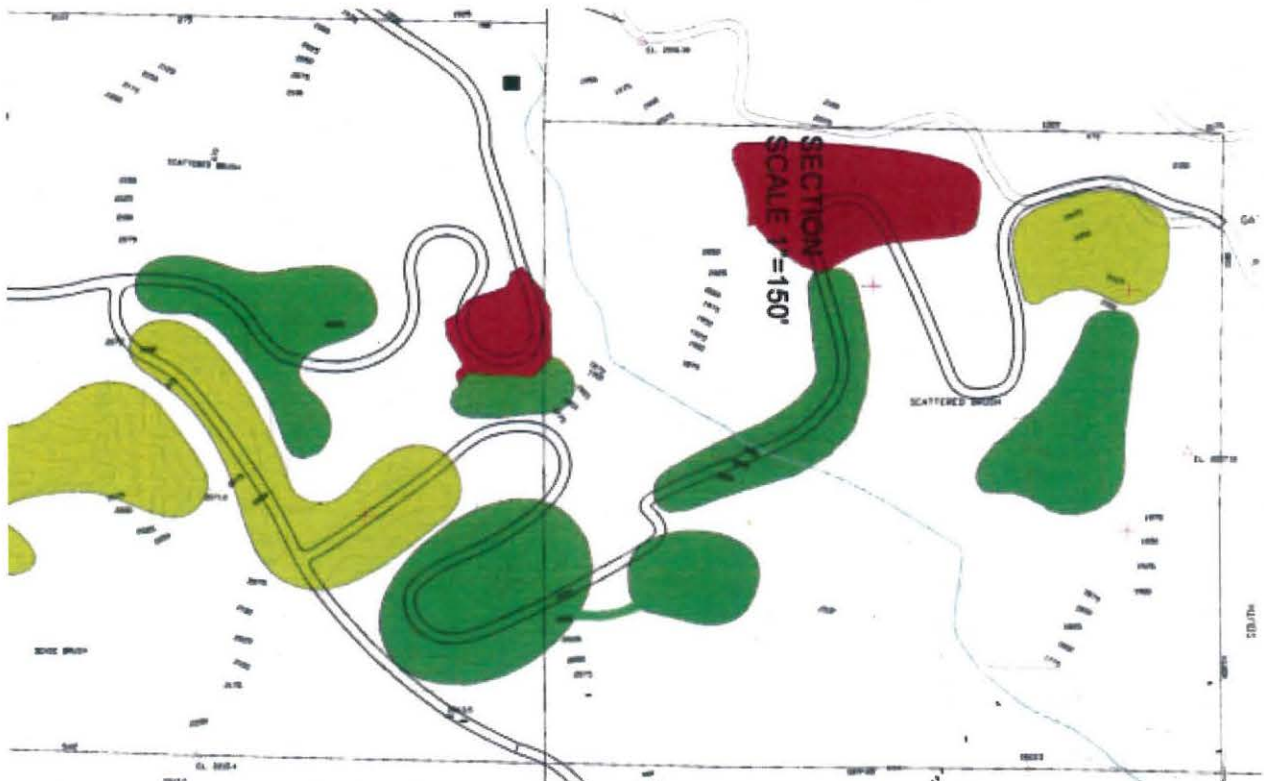


Figure 3. Copy of a portion of the Construction Material Storage and Fill Plan, marked preliminary, showing construction activity already conducted by Mr. Fishback in the Ybarra Creek drainage.

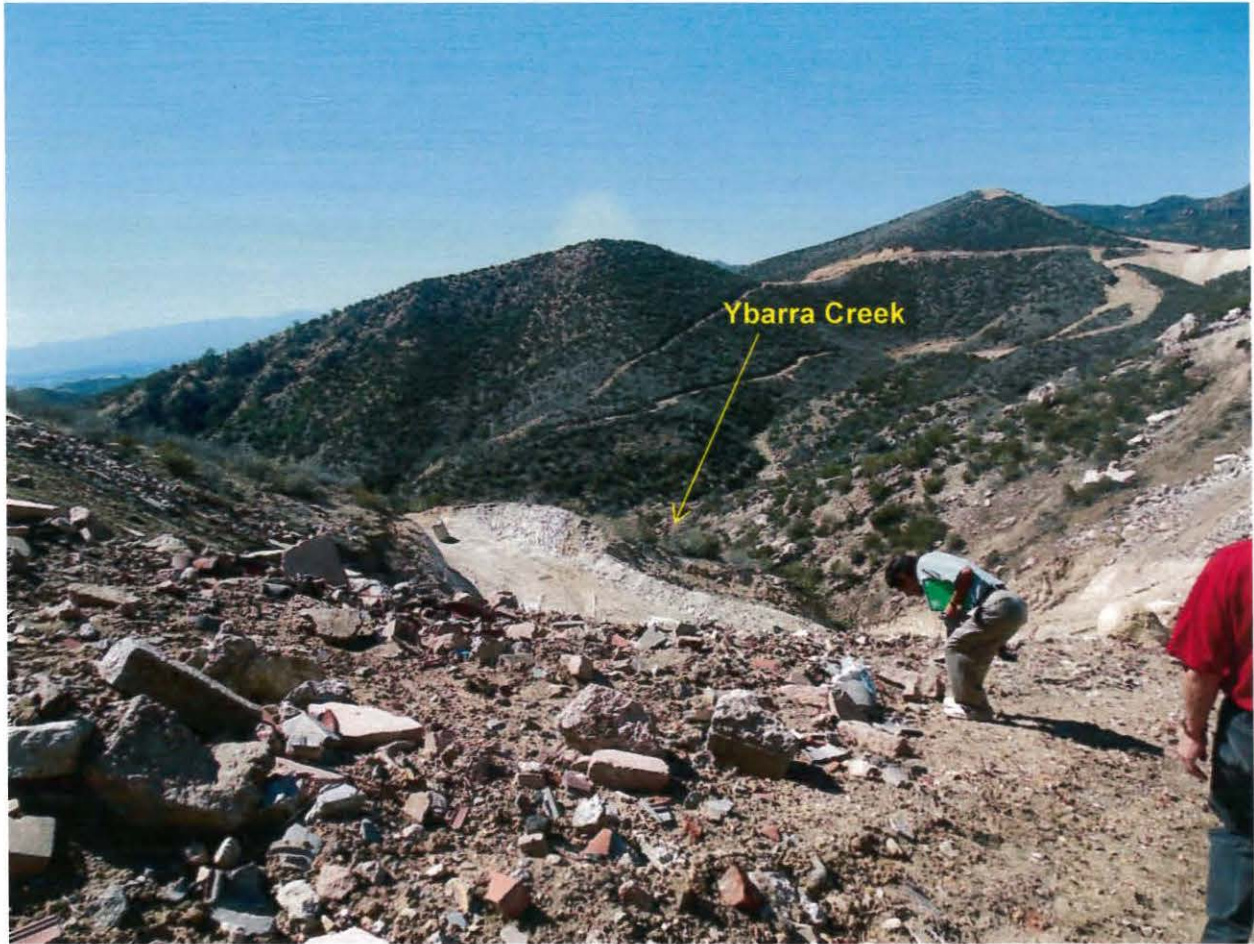


Photo 2. This photo shows stockpiled wastes in graded area 2, above Ybarra Creek.

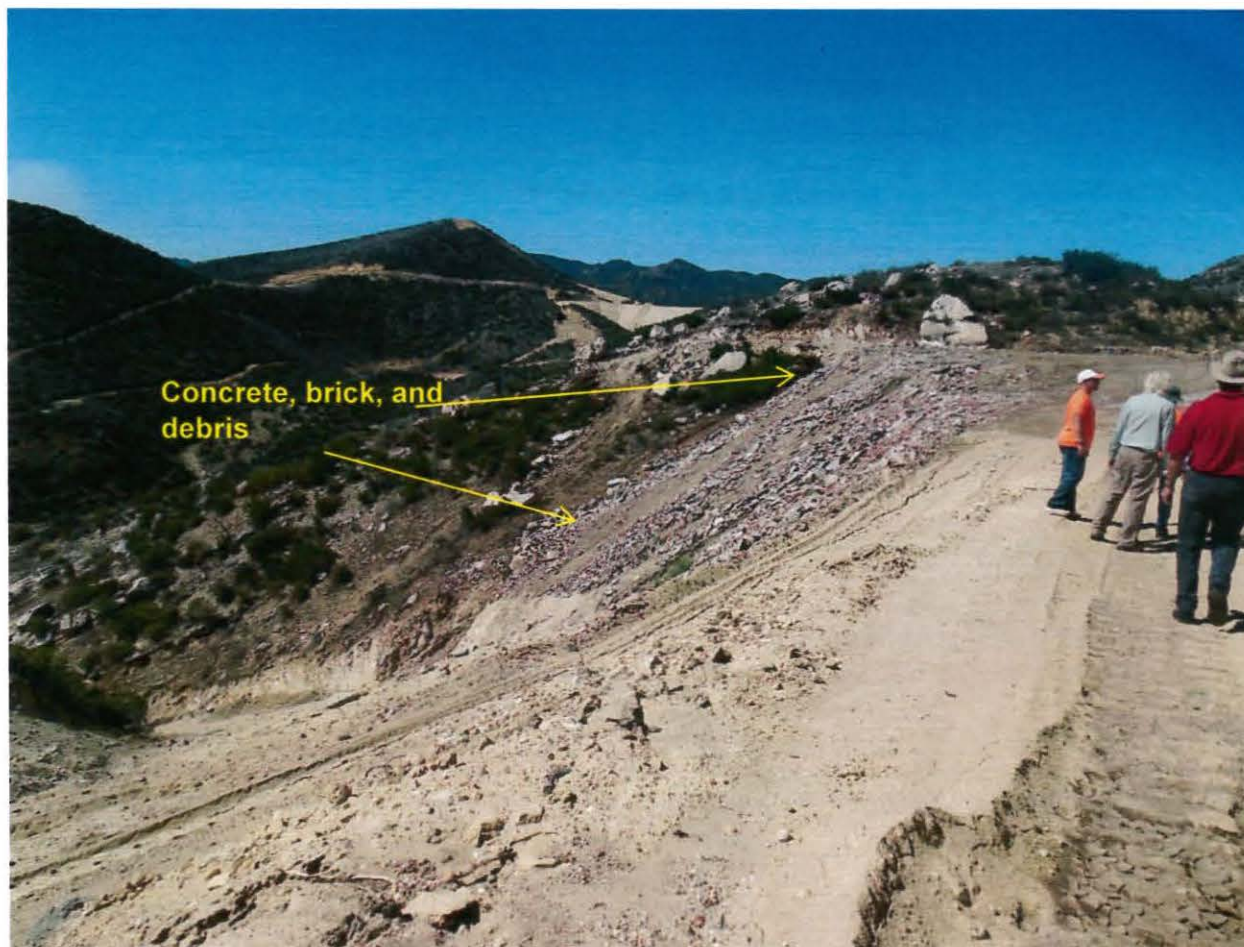


Photo 3. This photograph shows the graded area 2 with wastes stockpiled in the Ybarra Creek drainage area.



Photo 4. Graded area 2 with stockpiled of pieces concrete, brick, tile, and other debris.

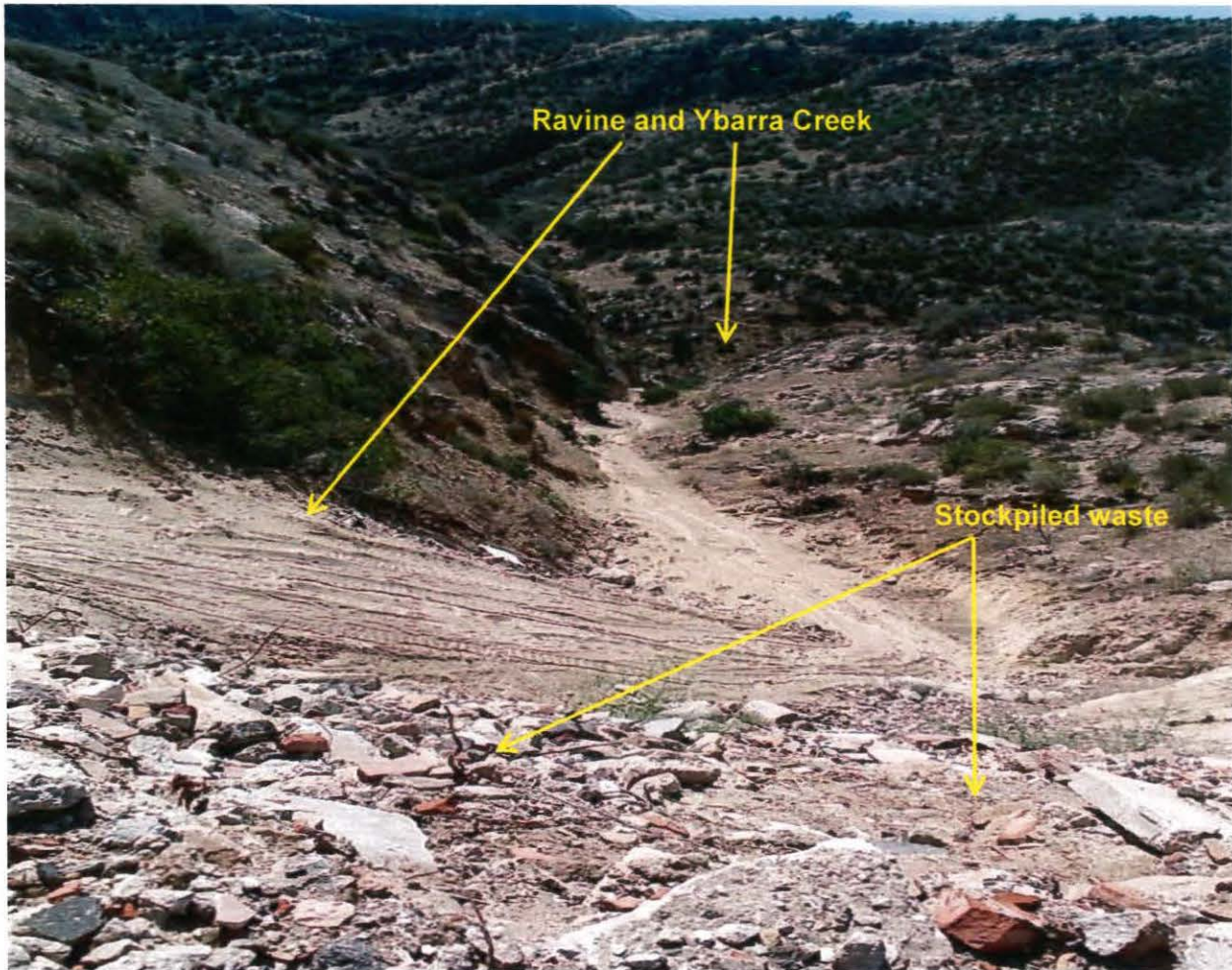


Photo 5. The waste appears piled a the angle of repose immediately above an unnamed tributary that Mr. Fishback admitted having graded that continues down to Ybarra Creek, a water of the state and United States.



Photo 6. This photo shows the ravine immediately down gradient from the waste stockpile that leads to Ybarra Creek. Note the steep gradient, loose sediment, and rills.



Photo 7. This photo is of Mr. Todd Fishback recording the inspection using his cell phone. In addition, the photo shows rills along the slope flooring the recently graded ravine from the top of the graded area 2 down to a sediment basin (shown in photo 8) above Ybarra Creek.



Photo 8. This photograph shows the toe of the slope at graded area 2 where a detention /desilting basin is located. The detention / desilting basin is built upon waste materials, some of which appears to be rebar-embedded concrete that spills into a trail that is within or immediately adjacent to Ybarra Creek.



Photo 9. The graded area 2 is so steep that it cannot be freely walked down in places. The steepness and angle of repose entrains some of the material that falls from above, and contained within the steep walls of the ravine.

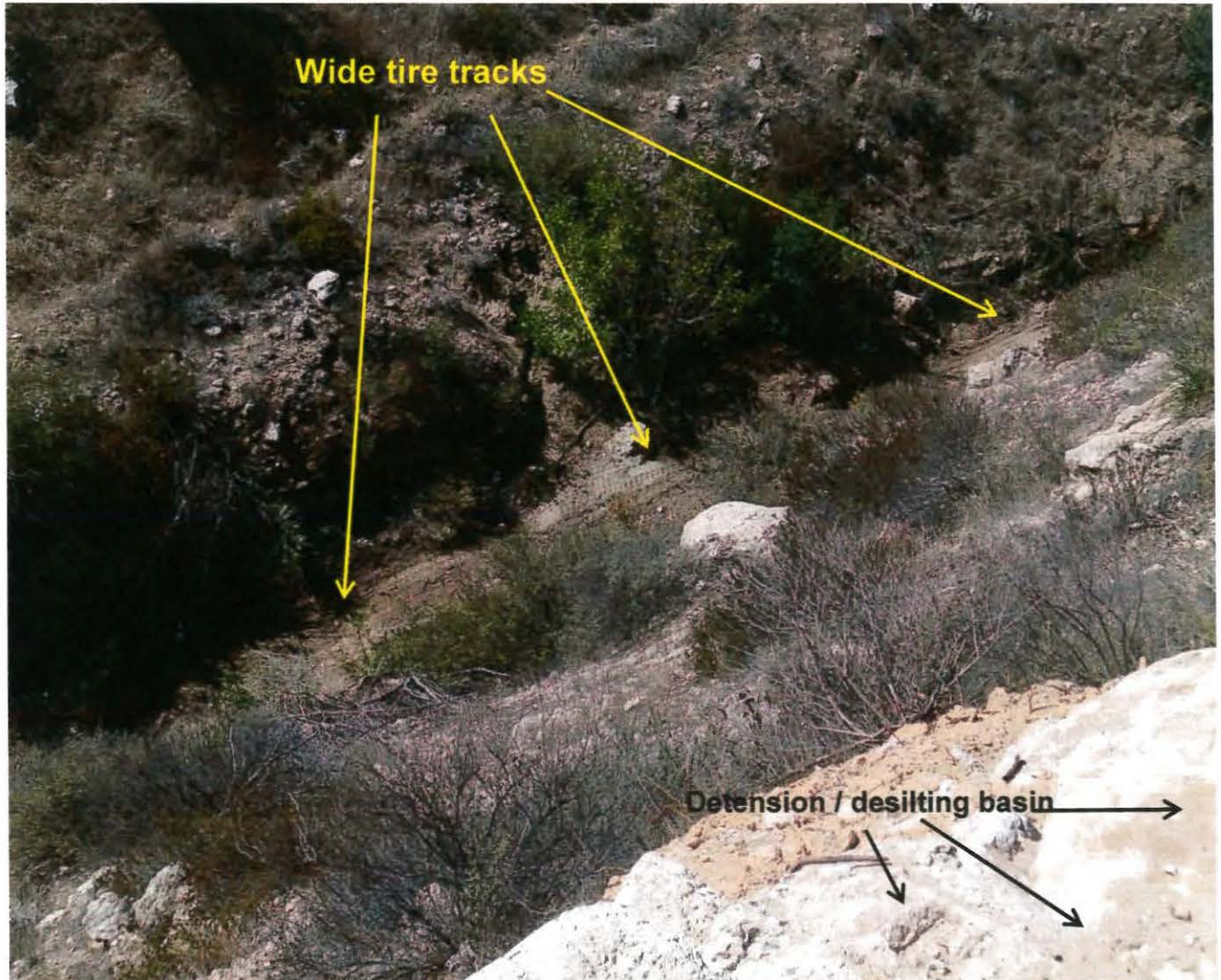
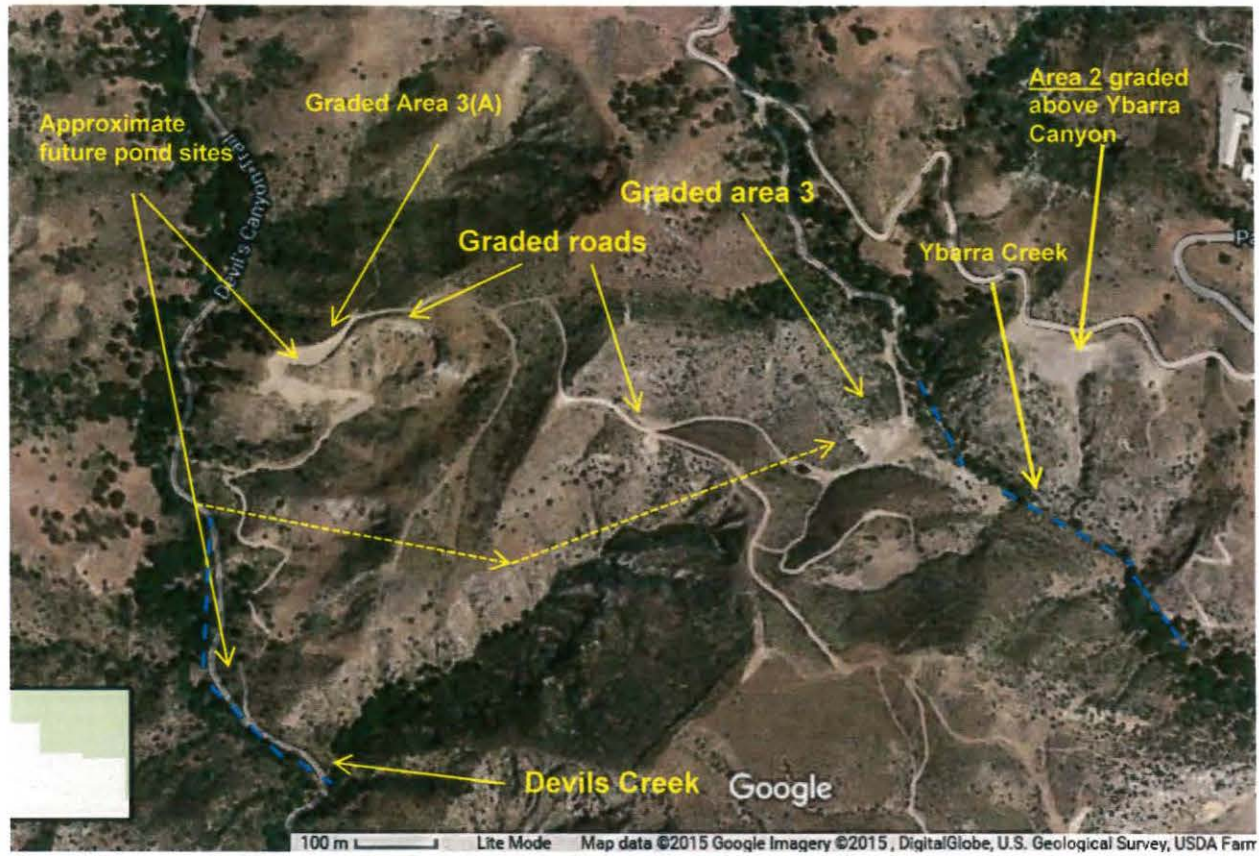


Photo 10. Wide tire tracks appear in the sediment or soil within Ybarra Creek. Wide tire tracks indicate the use of heavy equipment.



Photo 11. The detention / desilting basin is built upon waste materials that spill into a trail that is within or immediately adjacent to Ybarra Creek.



Google Image 3. This image shows graded area 3 and area 3(A).



Photo 13. This photo shows graded area 3 with loose sediments, and removed vegetation. Weathered asphalt debris is being used locally to armor/stabilize the roadway.

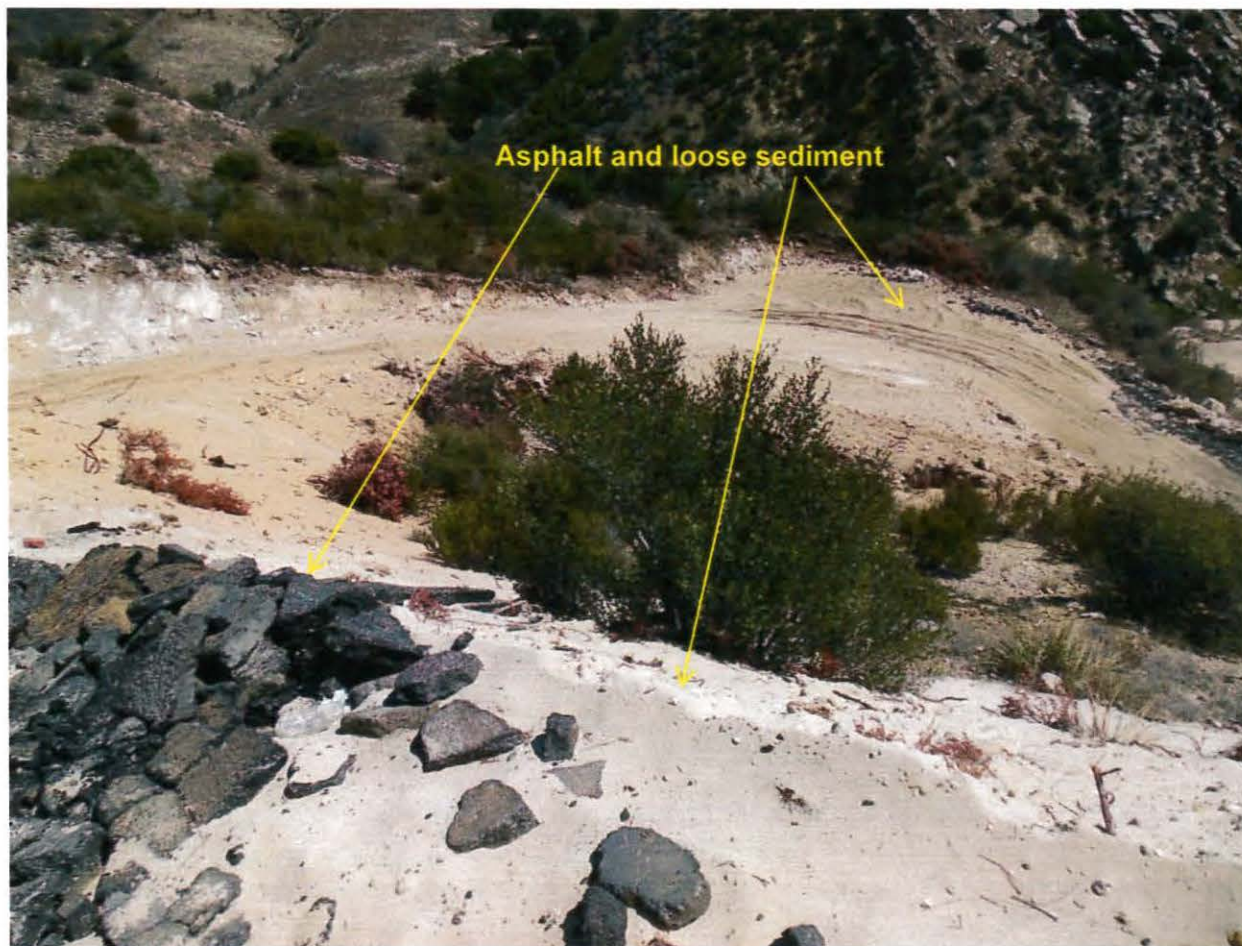


Photo 14. This photo shows pieces of asphalt mixed with soil used to stabilize the roadway, and loose sediments along the road.



Photo 12. This photo shows graded area 3, and future site of a pond.



Photo 16. This photo shows the top area of ongoing grading activities shown in photo 10, above.



Photo 17. This photo shows another area of graded area 3 with loose sediments and rills.



Photo 18. This photograph shows a graded area where vegetation was removed.



Photo 19. This photograph shows the down gradient of photo 13, above. This area has loose sediment without best management practices (BMPs), and poses a potential for loose sediments to dislodge into the canyon below.

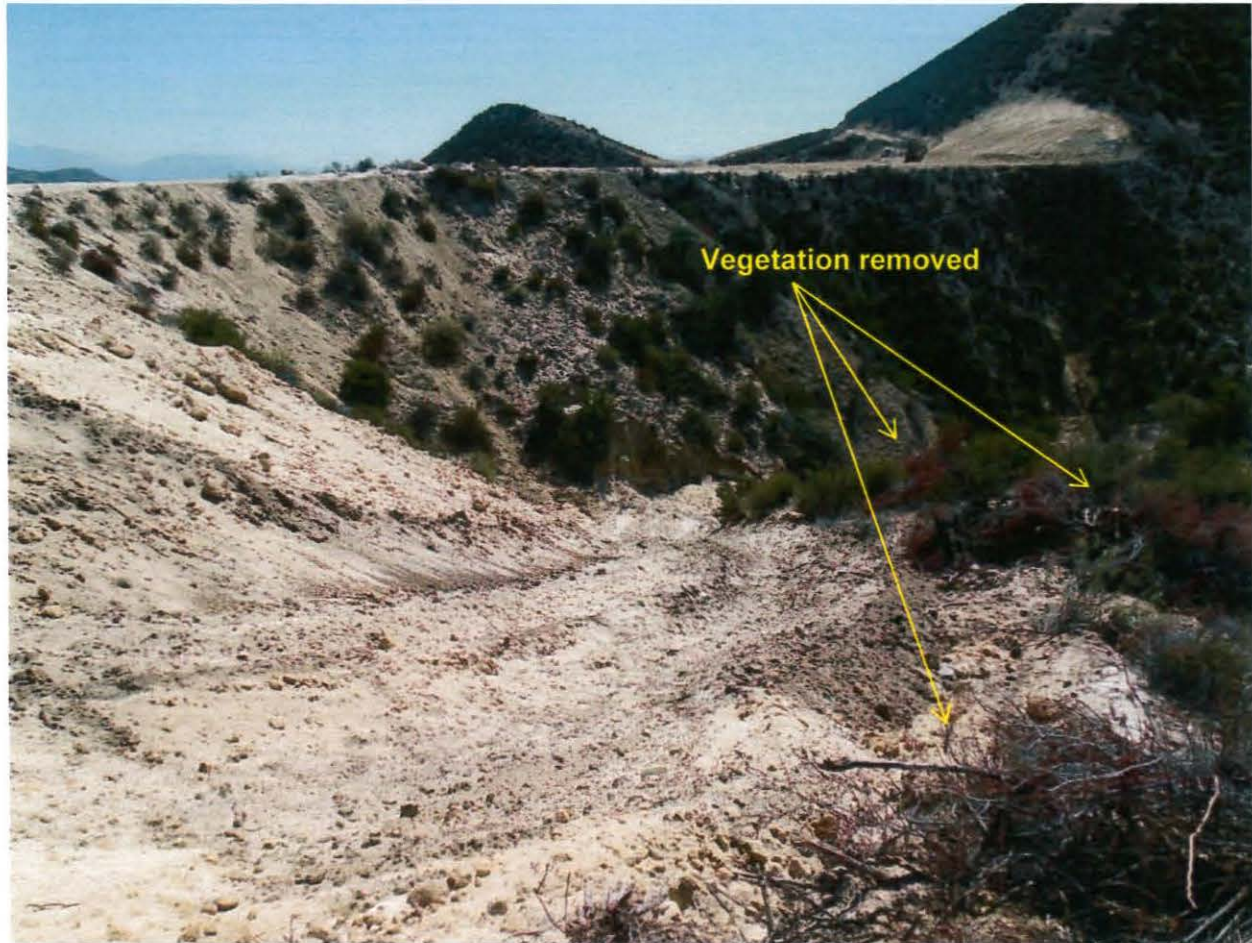


Photo 20. This photo is another view of photo 14, above. In addition, this photo shows vegetation that has been removed and pushed down to canyon walls.



Photo 21. Photo showing a recently graded road of area 3(A) leading towards Devils Canyon and Creek.



Photo 22. Road leading to Devils Creek with loose sediment and without BMPs.



Photo 23. This photo show another view of the loose sediments along the road leading into Devils Creek.



Photo 24. This photo show loose sediments eroding down Devils Canyon and Creek.



Photo 25. This is another photo of the road leading to Devils Creek with loose sediment and without BMPs.



Photo 26. Existing road leading to the Devils Creek and Canyon with loose sediments.



Photo 27. The sediment observed on the road from previous photos (17-21) is collected in a small area above Devils Creek. A road cuts off this area and it is a future site of a pond.

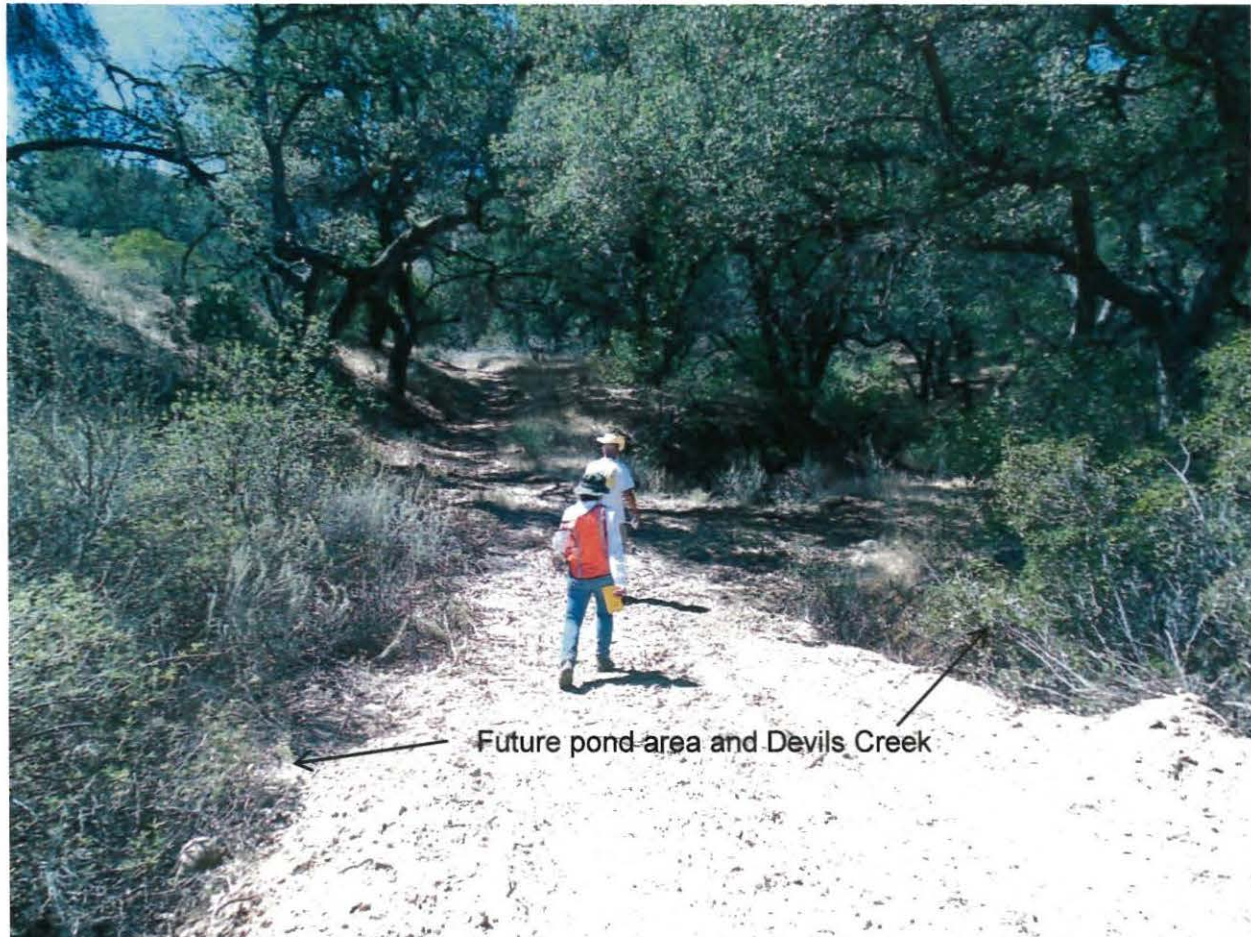


Photo 28. This photo shows another view of photo 22, above.



Photo 29. Devils Creek and a natural trail.



Photo 30. This photo shows another view of Devils Creek channel.

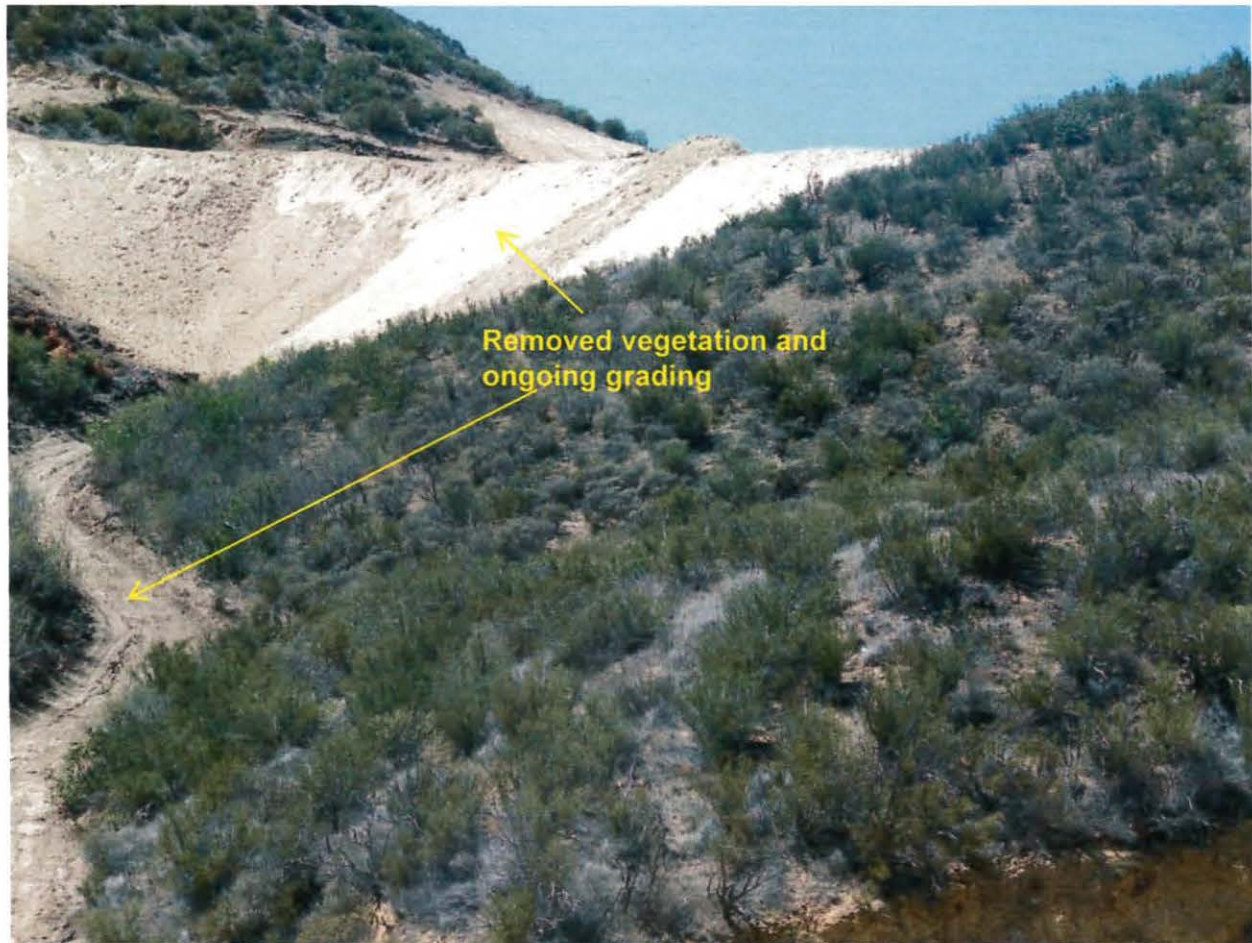


Photo 15. This is another area within graded area 3, where native vegetation was removed and extensive grading is ongoing.



Google Image 4. This image shows graded area 1 and Ybarra Creek.



Photo 31. This photo show graded area 1 and added terraces.

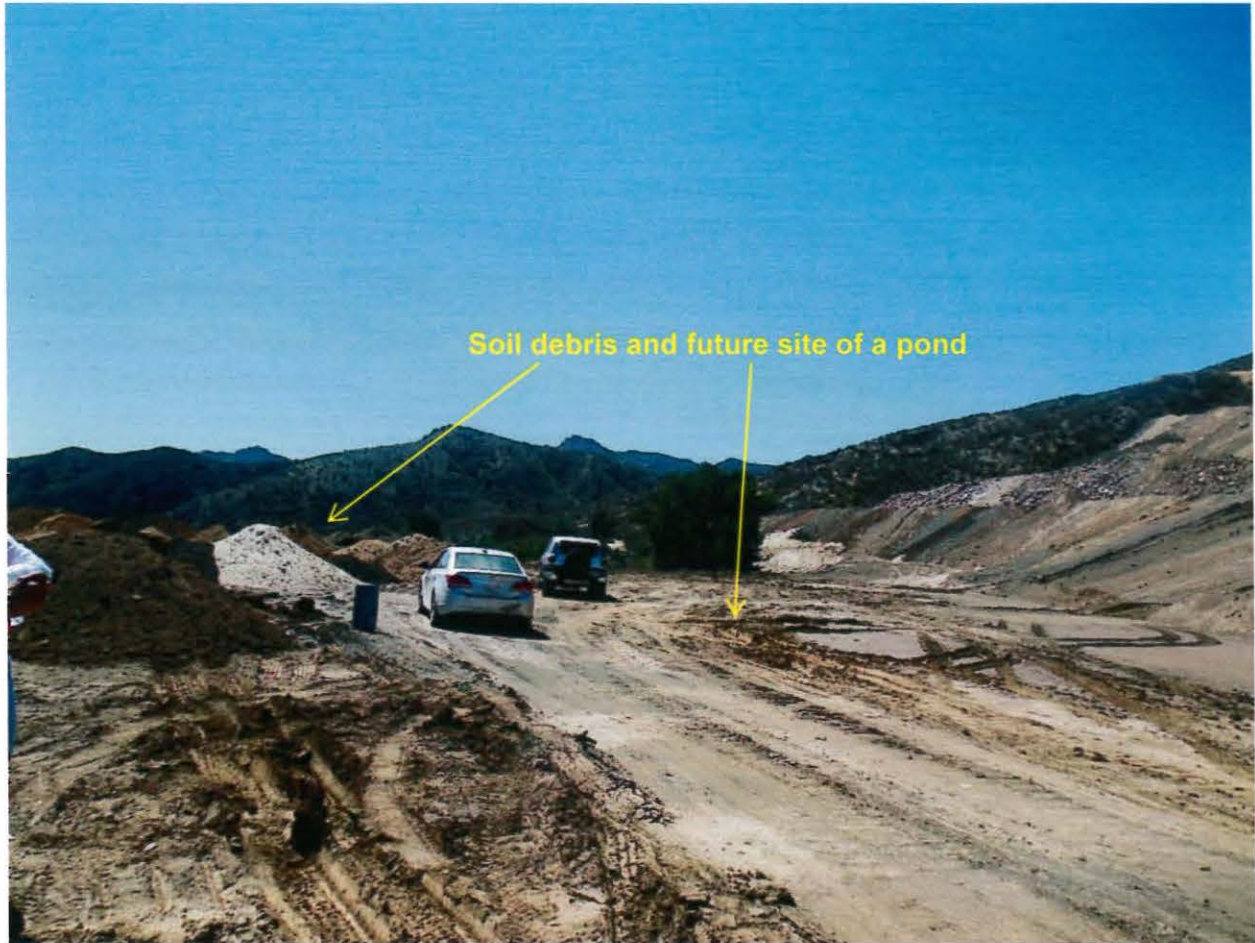


Photo 32. Graded area 1 with stockpiles of debris, and future site of a pond.



Photo 33. This photo shows another view of photo 26, above. Ybarra Creek is located at the toe of the slope.



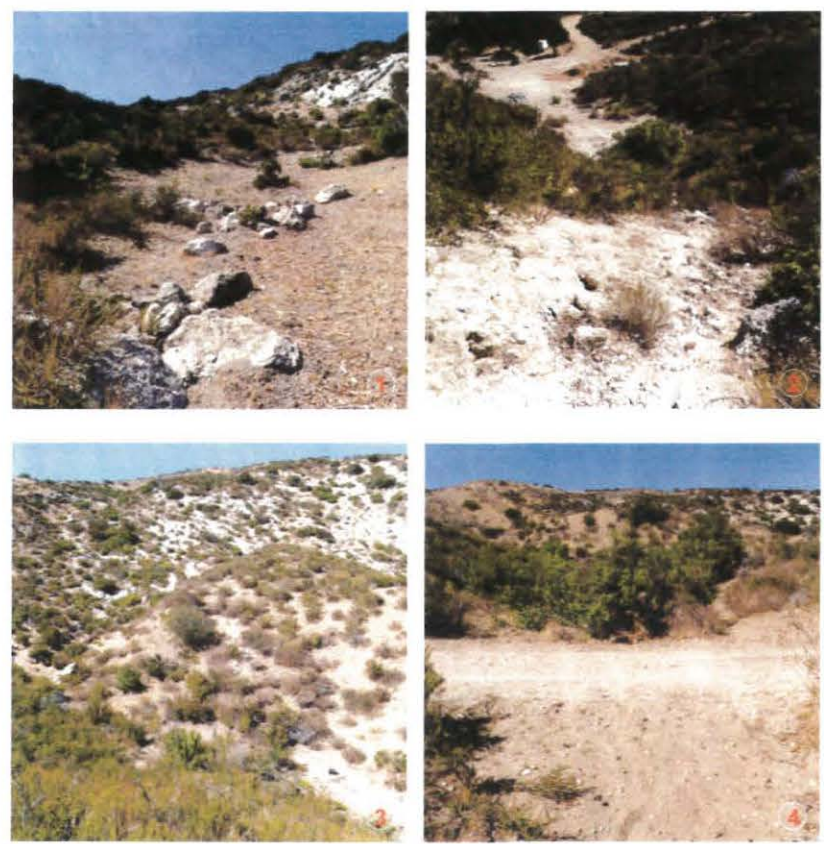
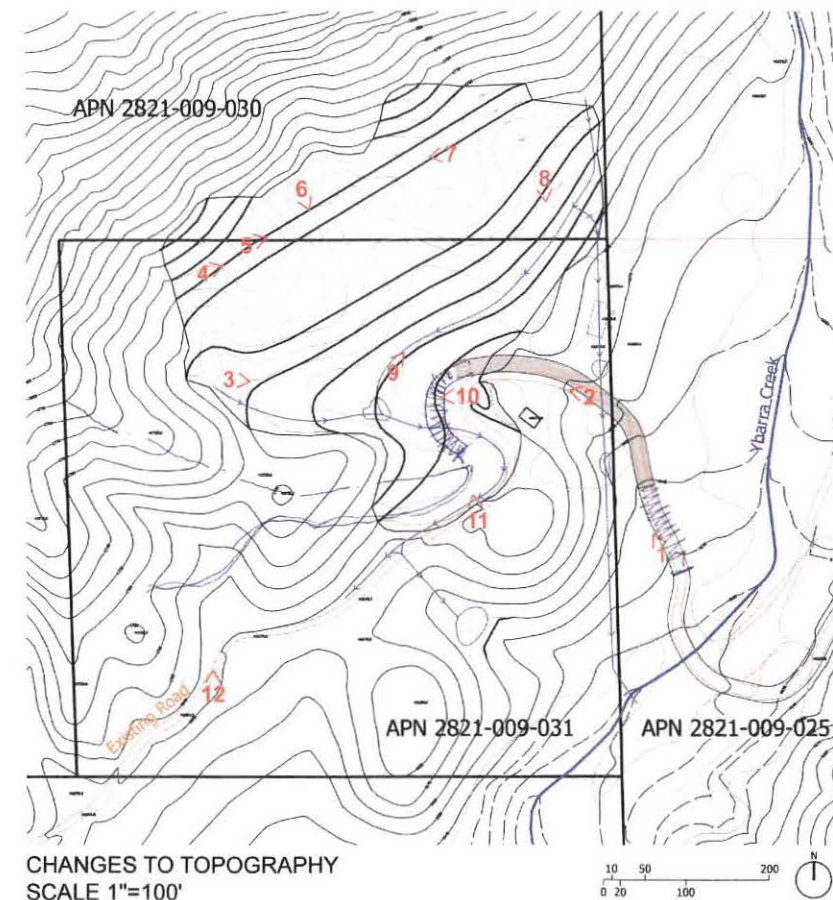
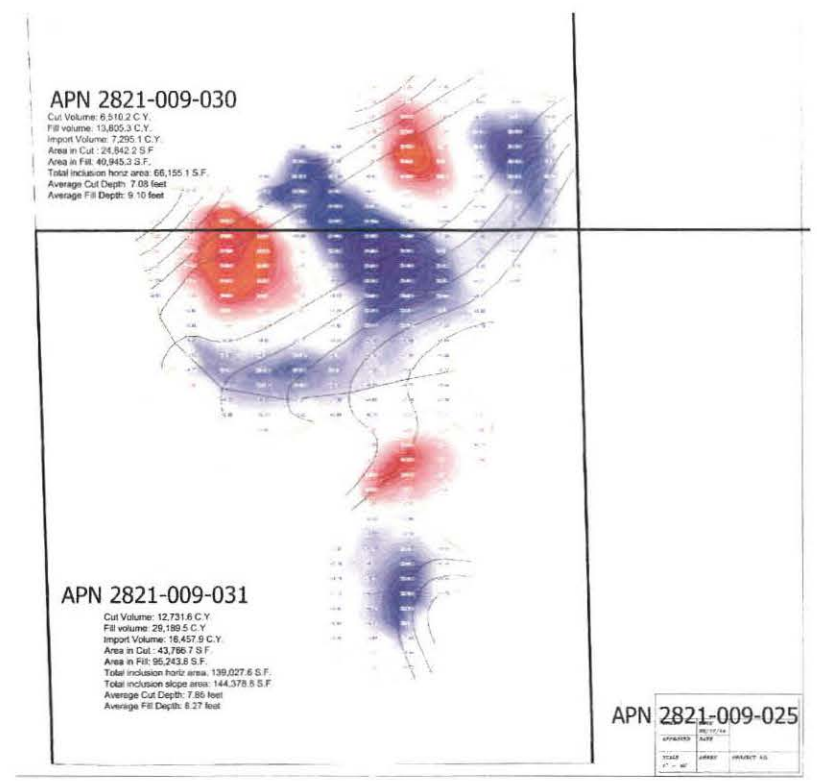
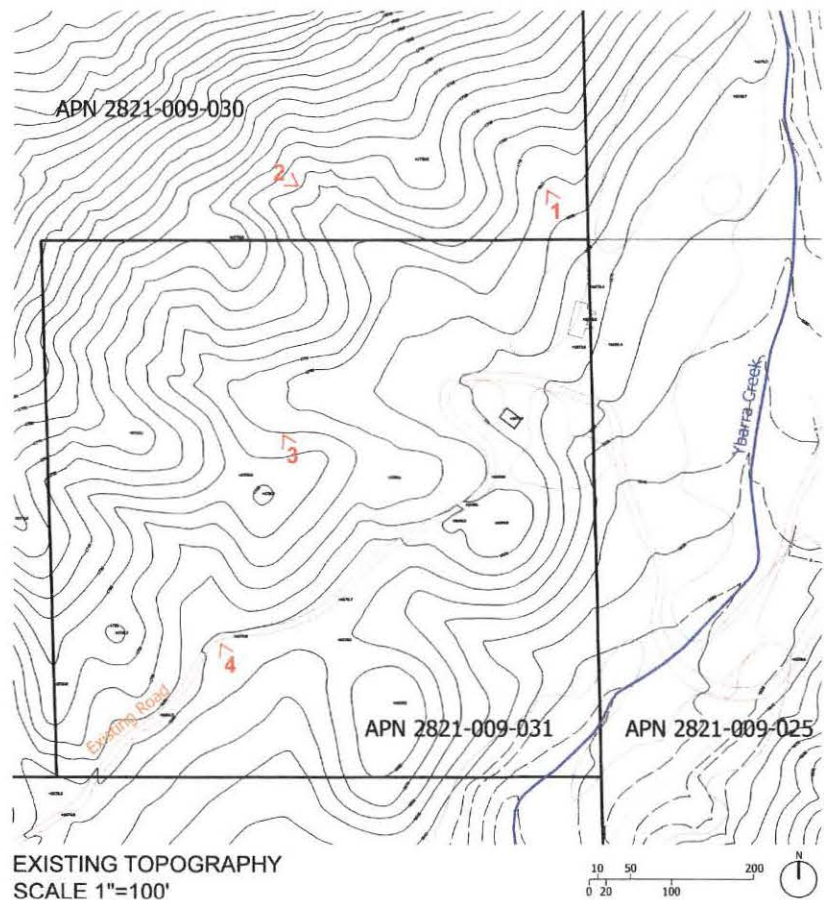
Photo 34. This photo shows another view of Ybarra Creek and the slope from photo 28, above, and a silt fence that was being installed at the time of the inspection.



Photo 35. This photo shows Ybarra Creek immediately down gradient of Mr. Fishback's grading activities. This photo was taken from inside a car.



Photo 36. This photo shows another view of photo 30, above.



GENERAL NOTES:

1. THESE PLANS ARE SCHEMATIC. ANY SIGNIFICANT DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND ANY PROPOSED CHANGES SHALL BE SUBMITTED THE NATURAL RESOURCE CONSERVATION SERVICE (NRCS) AS REQUIRED. CHANGES WILL BE CONSISTENT WITH THE CONSERVATION TECHNICAL ASSISTANCE (CTA) RECOMMENDATIONS.
2. CRITICAL AREA AND MITIGATION PLANTING SHALL BE ESTABLISHED ON ALL DISTURBED SLOPES SO AS NOT TO EXCEED AN ANNUAL SOIL LOSS OF 2.0 TONS PER ACRE AS CALCULATED BY THE UNIVERSAL SOIL LOSS EQUATION.
3. ALL DISTURBED SLOPES SHALL BE CUT OR FILLED TO ESTABLISH A MAXIMUM SLOPE OF 2:1. STEEPER SLOPES CAN OCCUR WHERE NOTED AND CONSISTENT WITH REFERENCED DETAIL(S).
4. SEEDING AND PLANTING SHALL BE AS RECOMMENDED BY USDA-NRCS.
5. EROSION CONTROL BLANKET OF A TYPE AGREED UPON BY OWNER AND USDA-NRCS SHALL BE INSTALLED ON ALL CRITICAL AREAS (SLOPES). HYDROSEEDING MAY BE USED IN LIEU OF EROSION CONTROL BLANKET.
6. ELEVATIONS SHOWN ARE RELATIVE ONLY. THE INTENT IS TO CONSTRUCT THE IMPROVEMENTS TO ACHIEVE THE LINES AND GRADE SHOWN AND TO INTEGRATE FIELD CONDITIONS.
7. ALL ACCESS ROADS, SLOPE PROTECTION, PLANTINGS AND DRAINAGE SYSTEMS WILL REQUIRE MAINTENANCE TO PROVIDE THE DESIRED DEGREE OF SERVICEABILITY.
8. THE CONSTRUCTION SPECIFICATIONS TO BE FOLLOWED ARE:
 - NRCS CA-340-B COVER CROP
 - NRCS CA 342-B CRITICAL AREA PLANTING EROSION CONTROL BLANKET
 - NRCS CA-468 CRITICAL AREA PLANTING HYDROSEEDING
 - NRCS CA-587 LINED WATERWAY OR OUTLET
 - NRCS CA-707 STRUCTURE FOR WATER CONTROL
 - GREENBOOK ROCK RIPRAP
 - CALGREEN UNCLASSIFIED FILL 300-4
 - CALRECYCLE SECTIONS
 - SECTION 17381.1 TYPE A INERT DEBRIS REUSE & RECYCLING



PHOTOS DURING CHANGES TO TOPOGRAPHY

PRELIMINARY

SHEET TITLE	OWNER	OPERATOR	CIVIL ENGINEER	CIVIL ENGINEER SEAL	GEOLOGIST	GEOLOGIST SEAL	REVISION DESCRIPTION		DATE
							NO.	DESCRIPTION	
Engineered Land Formation	Wayne Fishback 3180 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com	ABC Waste Management 3180 Calusa Ave Simi Valley, CA 93063 (805)597-5780 todd@abcwmc.com	Philip J. Sherman P.E. P. O. Box 664 Oak View, CA 93022 (805)501-4599 pjs@prore@abglobal.net		Coastal Geology & Soil Inc. P.O. Box 627 Summerland, CA 93067 (805)647-2842				

REFERENCED BEST MANAGEMENT PRACTICES (BMP)
INCLUDED IN SWPCP - ATTACHMENT Q
2003 CALIFORNIA BMP CONSTRUCTION HANDBOOK

CONSTRUCTION

- EC-1 SCHEDULING
- EC-2 PRESERVATION OF EXISTING VEGETATION
- EC-4 HYDRO-SEEDING

- SE-1 SILT FENCE
- SE-2 SEDIMENT BASIN
- SE-8 SANDBAG BARRIER

- NS-8 VEHICLE AND EQUIPMENT CLEANING
- NS-9 VEHICLE AND EQUIPMENT FUELING
- NS-10 VEHICLE AND EQUIPMENT MAINTENANCE

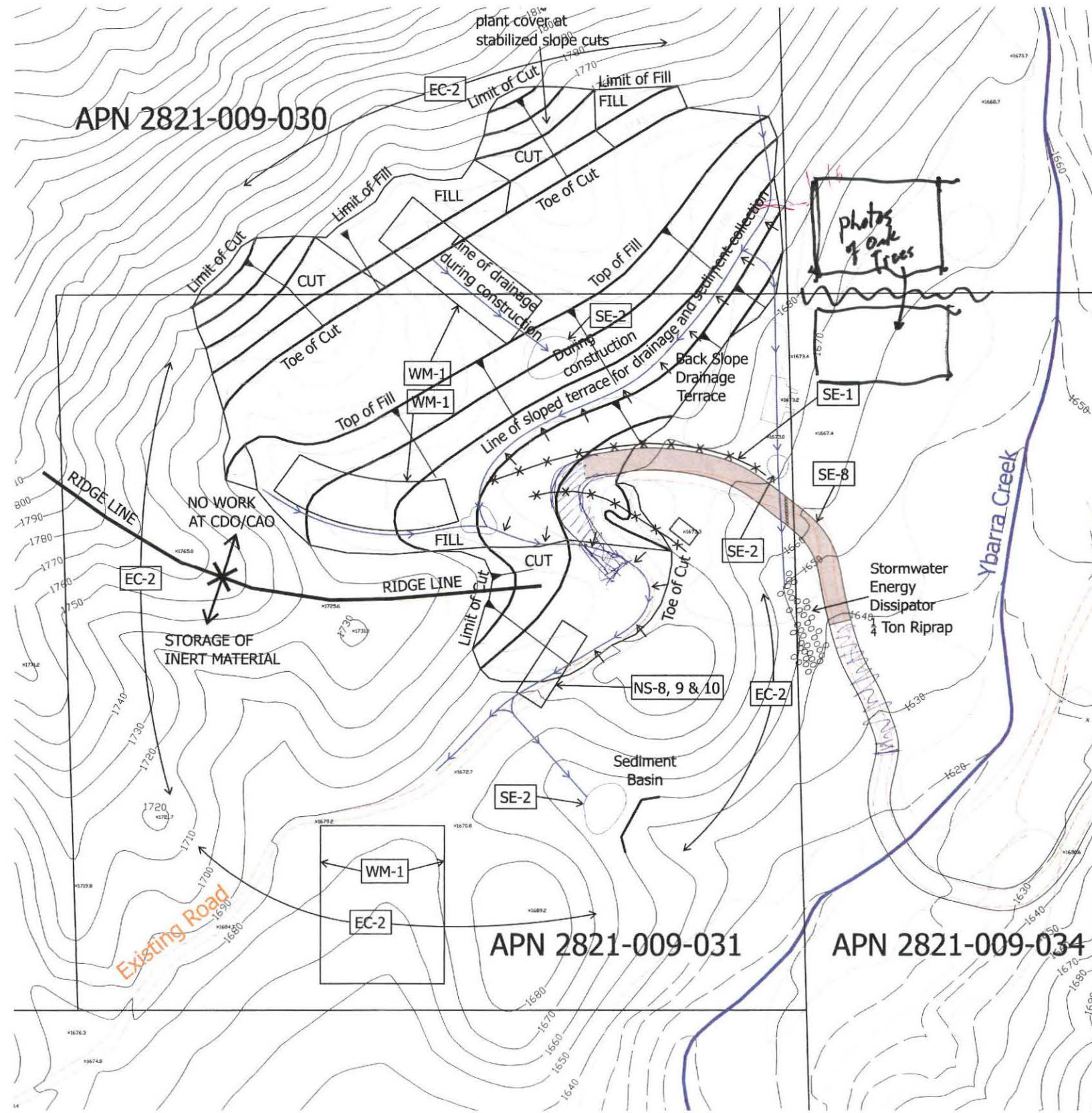
- WM-1 MATERIAL DELIVERY AND STORAGE

NOTES:

1. PLAN INCLUDES BOTH DISTURBED AND UNDISTURBED AREAS.
2. PLAN INCLUDES EXISTING RANCH ROADS AND BRUSHED AREAS EXCEPT AS NOTED.
3. EXACT LOCATIONS OF NS AND WM BMP'S TO BE DETERMINED BY CONTRACTOR.

LEGEND:

- 1700- EXISTING CONTOUR LINE
- 1730 NEW CONTOUR LINE
- - - - - REMOVED (CUT) OR HIDDEN (FILL) CONTOUR LINE
- LIMIT OF CUT OR FILL
- > LINE OF PRIMARY DRAINAGE AND SEDIMENT CONTROL
- SE-2 BMP LOCATION
- ○ ○ ○ ○ SAND BAGS
- *** SILT FENCE
- - - - - EXISTING ROAD
- ALL WEATHER SUBBASE, BASE AND FINISHED SURFACE AT EXISTING ROAD



EROSION CONTROL PLAN
SCALE 1"=50'

PRELIMINARY

NO.	REVISION DESCRIPTION	DATE

<p>GEOLOGIST SEAL</p> <p>Coastal Geology & Soil Inc. P.O. Box 527 Summerland, CA 93067 (805)947-2842</p>
<p>CIVIL ENGINEER SEAL</p> <p>Philip J. Sherman P.E. P. O. Box 864 Oak View, CA 93022 (805)501-4699 pjspre@aboglobal.net</p>
<p>OPERATOR</p> <p>ABC Waste Management 3160 Calusa Ave Simi Valley, CA 93063 (805)997-5780 todd@abowmc.com</p>
<p>OWNER</p> <p>Wayne Fishback 3160 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com</p>
<p>SHEET TITLE</p> <p>Erosion Control Plan for LAC Ranch</p>
<p>SHEET NO.</p> <p>4</p> <p>OF 10 SHEETS</p>

REFERENCED BEST MANAGEMENT PRACTICES (BMP)
INCLUDED IN SWPCP - ATTACHMENT Q
2003 CALIFORNIA BMP CONSTRUCTION HANDBOOK

CONSTRUCTION

- EC-1 SCHEDULING
- EC-2 PRESERVATION OF EXISTING VEGETATION
- EC-4 HYDRO-SEEDING
- SE-1 SILT FENCE
- SE-2 SEDIMENT BASIN
- SE-8 SANDBAG BARRIER
- NS-8 VEHICLE AND EQUIPMENT CLEANING
- NS-9 VEHICLE AND EQUIPMENT FUELING
- NS-10 VEHICLE AND EQUIPMENT MAINTENANCE
- WM-1 MATERIAL DELIVERY AND STORAGE

NOTES:

1. PLAN INCLUDES BOTH DISTURBED AND UNDISTURBED AREAS.
2. PLAN INCLUDES EXISTING RANCH ROADS AND BRUSHED AREAS EXCEPT AS NOTED.
3. EXACT LOCATIONS OF NS AND WM BMP'S TO BE DETERMINED BY CONTRACTOR.

LEGEND:

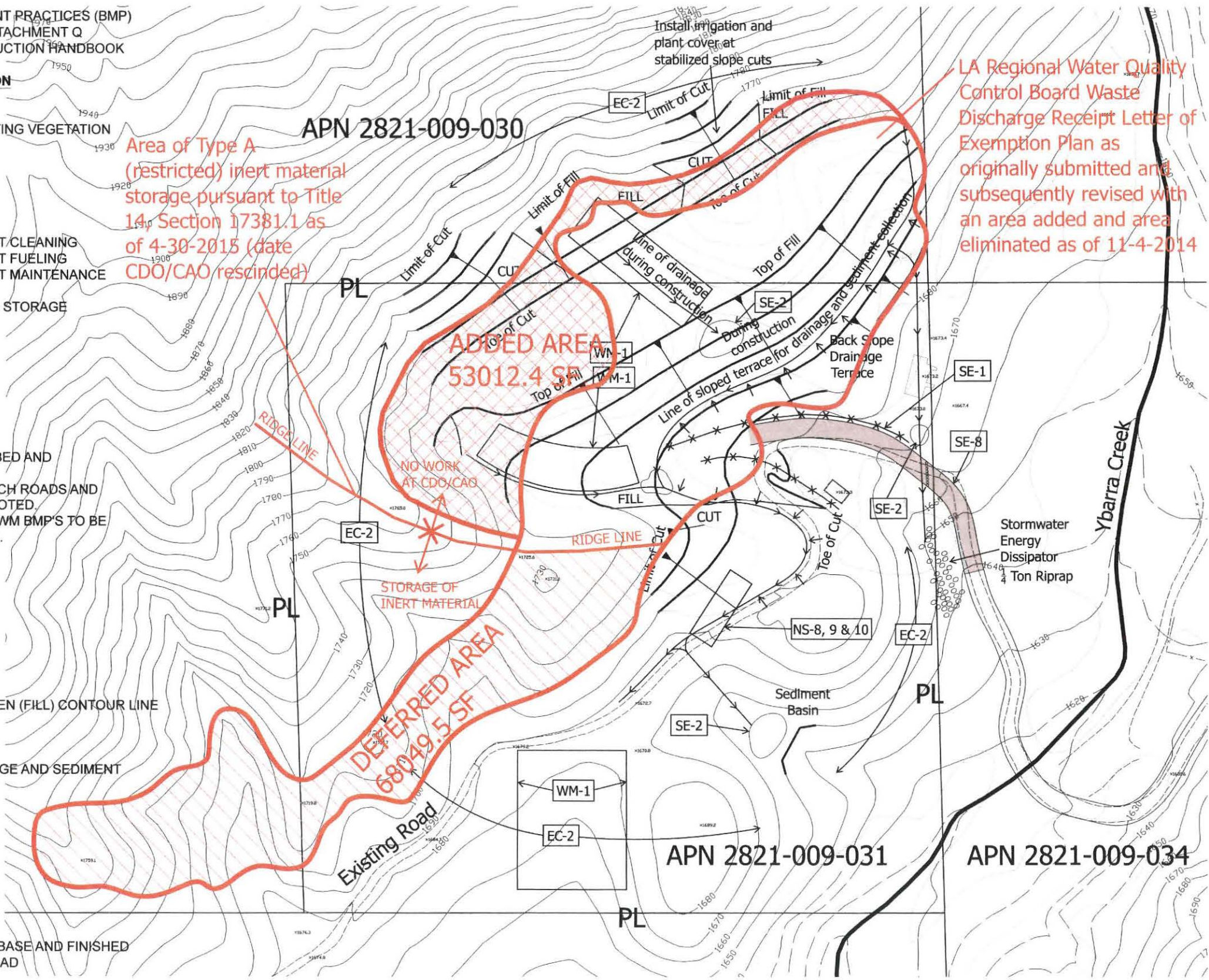
- 1700- EXISTING CONTOUR LINE
- 1720-** NEW CONTOUR LINE
- - - - - REMOVED (CUT) OR HIDDEN (FILL) CONTOUR LINE
- LIMIT OF CUT OR FILL
- LINE OF PRIMARY DRAINAGE AND SEDIMENT CONTROL
- SE-2 BMP LOCATION
- ○ ○ ○ ○ SAND BAGS
- *** SILT FENCE
- EXISTING ROAD
- ALL WEATHER SUBBASE, BASE AND FINISHED SURFACE AT EXISTING ROAD

APN 2821-009-030
Area of Type A
(restricted) inert material
storage pursuant to Title
14, Section 17381.1 as
of 4-30-2015 (date
CDO/CAO rescinded)

ADDED AREA
53012.4 SF

DEFERRED AREA
68049.5 SF

LA Regional Water Quality
Control Board Waste
Discharge Receipt Letter of
Exemption Plan as
originally submitted and
subsequently revised with
an area added and area
eliminated as of 11-4-2014



EROSION CONTROL PLAN
SCALE 1"=50'

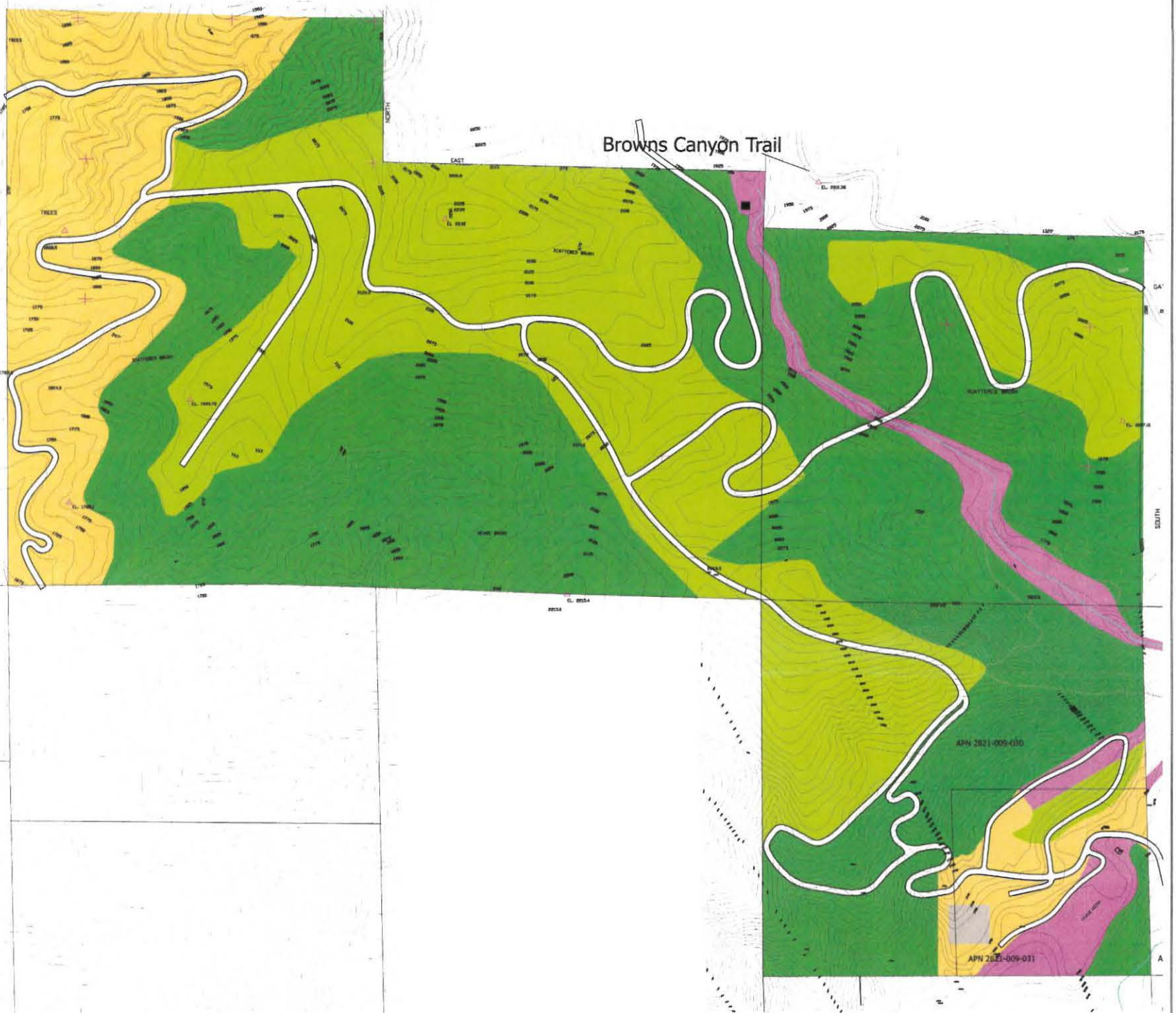


PRELIMINARY

NO.	REVISION DESCRIPTION	DATE
1	Plan Revisions As Noted in Red	6-30-15

GEOLOGIST SEAL	GEOLOGIST	CIVIL ENGINEER SEAL	CIVIL ENGINEER	OPERATOR	OWNER
	Coastal Geology & Soil Inc. P.O. Box 527 Sumnerland, CA 93067 (805)947-2842		Philip J. Sherman P.E. P.O. Box 664 Oak View, CA 93022 (805)501-4599 pjsherman@abglobal.net	ABC Waste Management 3180 Calusa Ave Simi Valley, CA 93063 (805)587-5780 todd@abcwmc.com	Wayne Fishback 3180 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com

SHEET TITLE	SHEET NO.
Erosion Control Plan for LAC Ranch - Revision	11



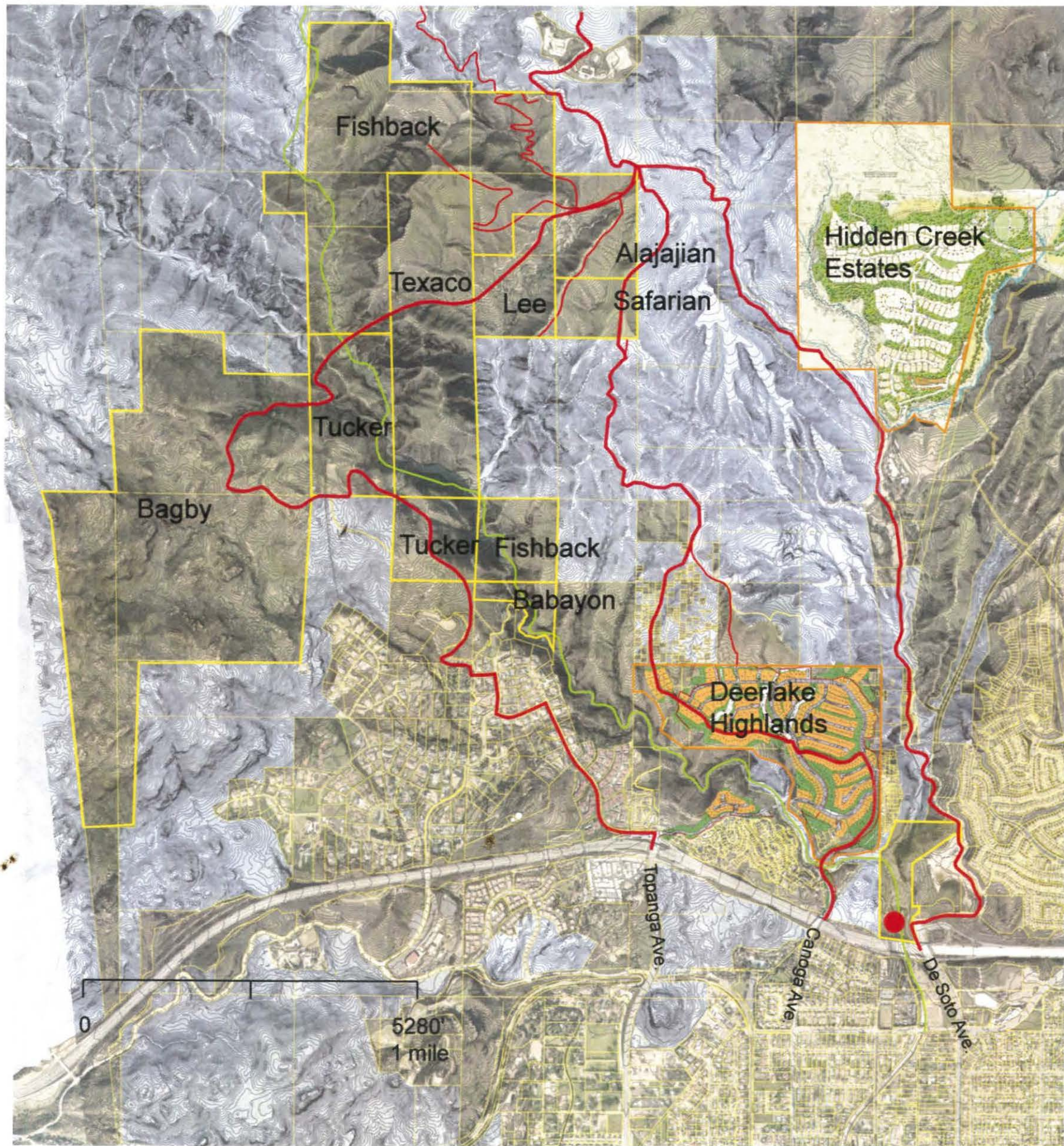
- Liberty Ranch Land Use**
- Rangeland
 - Food Production
 - Irrigated Pasture & Vegetables
 - Greenhouse/Aquaculture
 - Animal Fodder
 - Vegetables
 - Fish
 - Housing Land Bank
 - Farm Worker
 - Estate Homes
 - Recreation
 - Wildlands, Wetland Bank, Urban Forestry,
 - Riparian areas: steep landslide areas that are not filled

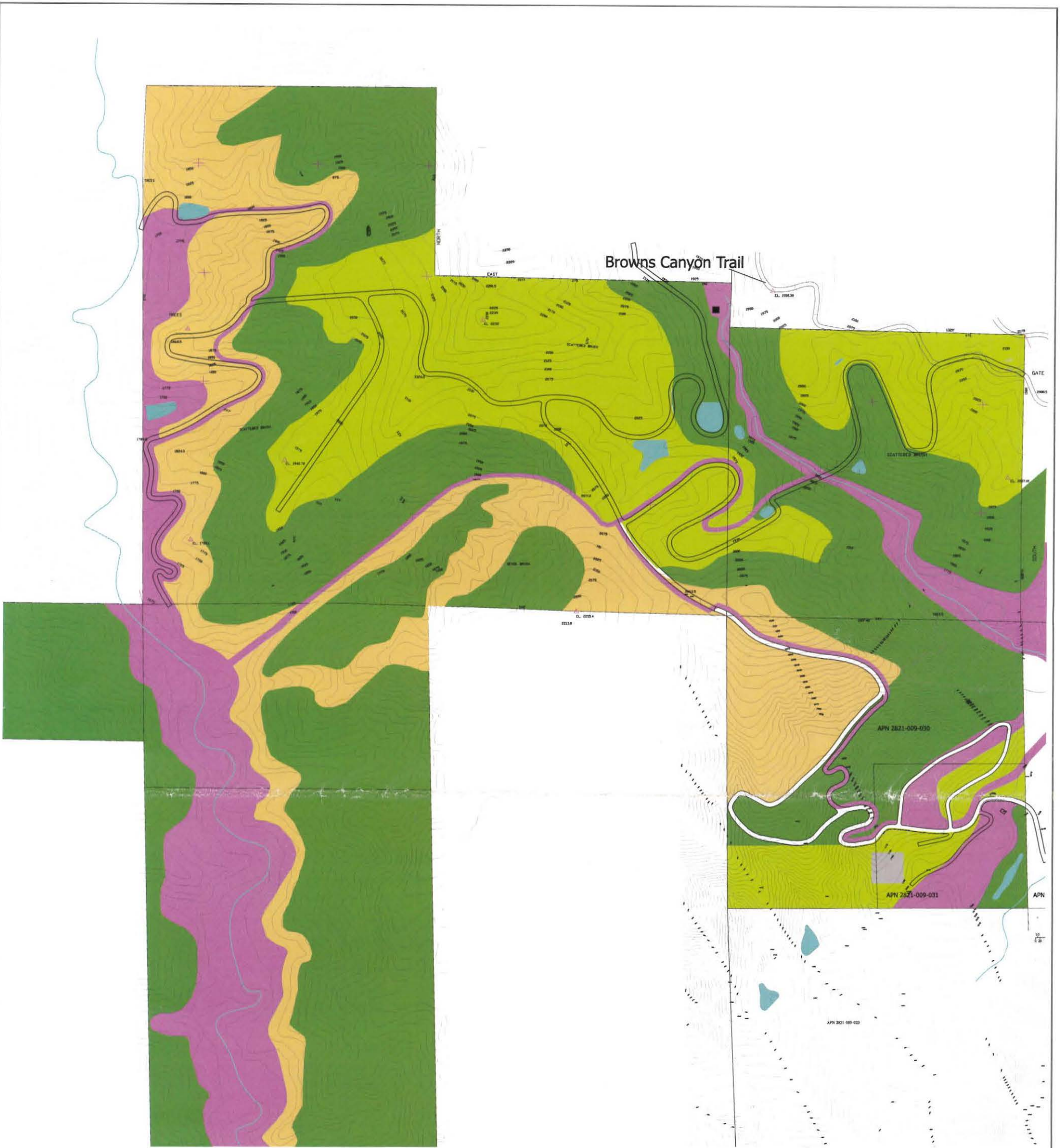
LAND USE MASTERPLAN
SCALE 1"=200'



P R E L I M I N A R Y

14	SHEET TITLE	OWNER	OPERATOR	CIVIL ENGINEER	CIVIL ENGINEER SEAL	GEOLOGIST	GEOLOGIST SEAL	NO.	REVISION DESCRIPTION	DATE
	Land Use Masterplan	Wayne Fishback 3160 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com	ABC Waste Management 3160 Calusa Ave Simi Valley, CA 93063 (805)587-5780 todd@abcwmc.com	Philip J. Sherman P.E. P. O. Box 664 Oak View, CA 93022 (805)501-4599 pjsprore@sbcglobal.net		Coastal Geology & Soil Inc. P.O. Box 527 Summerland, CA 93067 (805)847-2842				9/12/15





LAND USE MASTERPLAN

Liberty Ranch Land Use

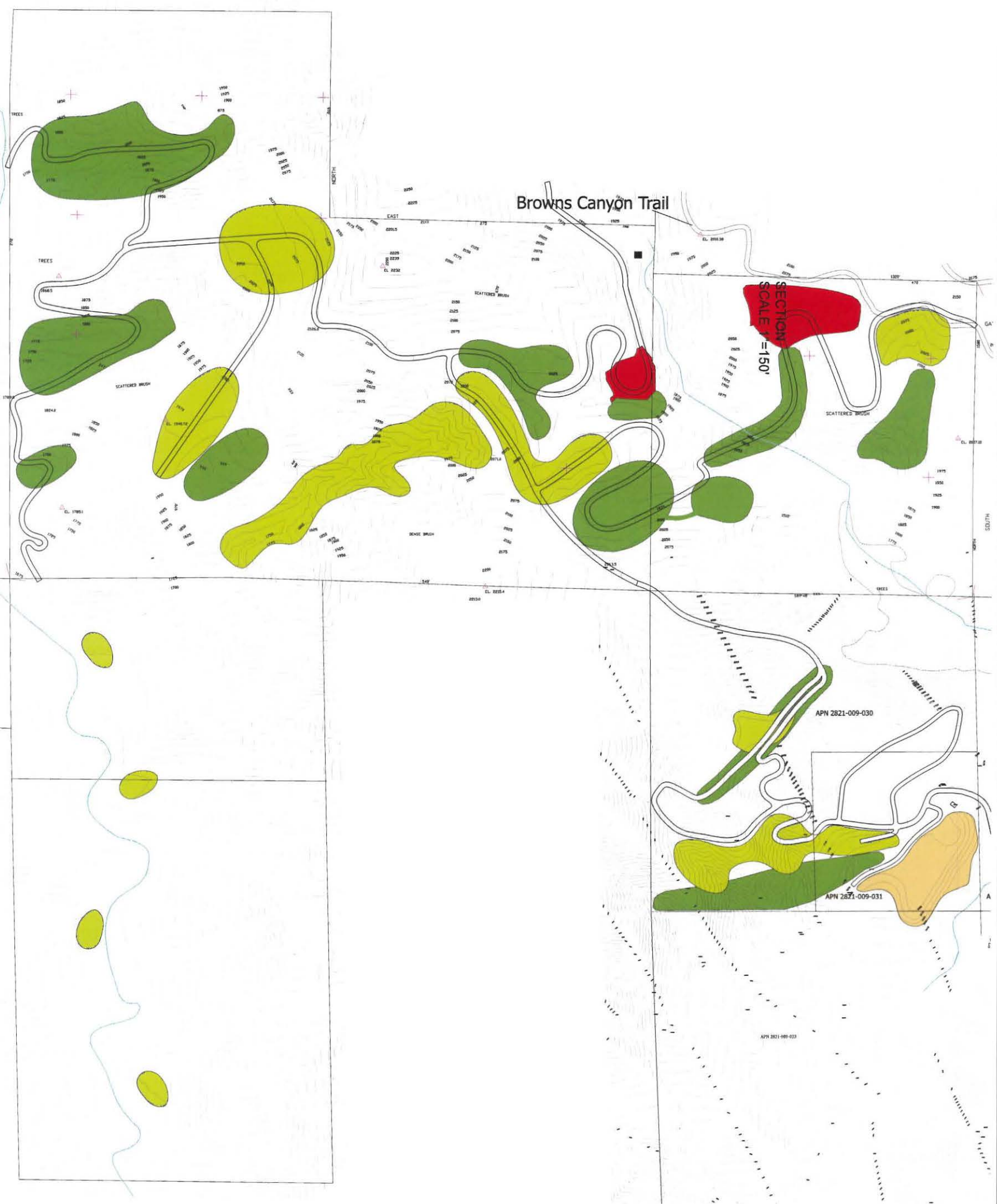
- Rangeland 15%
- Food Production 15%
 - Irrigated Pasture & Vegetables
 - Greenhouse/Aquaculture
 - Animal Fodder
 - Vegetables
 - Fish
- Housing Land Bank 5%
 - Farm Worker
 - Estate Homes
- Recreation 15%
- Wildlands, Wetland Bank, Urban Forestry, Riparian areas: steep landslide areas that are not filled 50%

SCALE 1"=200'



P R E L I M I N A R Y

14 SHEET NO.	SHEET TITLE	OWNER	OPERATOR	CIVIL ENGINEER	CIVIL ENGINEER SEAL	GEOLOGIST	GEOLOGIST SEAL	NO.	REVISION DESCRIPTION	DATE
	Land Use Masterplan	Wayne Fishback 3160 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com	ABC Waste Management 3160 Calusa Ave Simi Valley, CA 93063 (805)587-5780 todd@abcwmc.com	Philip J. Sherman P.E. P. O. Box 864 Oak View, CA 93022 (805)501-4599 pjsprore@sbcglobal.net		Coastal Geology & Soil Inc. P.O. Box 527 Summerland, CA 93067 (805)647-2842				9/12/15



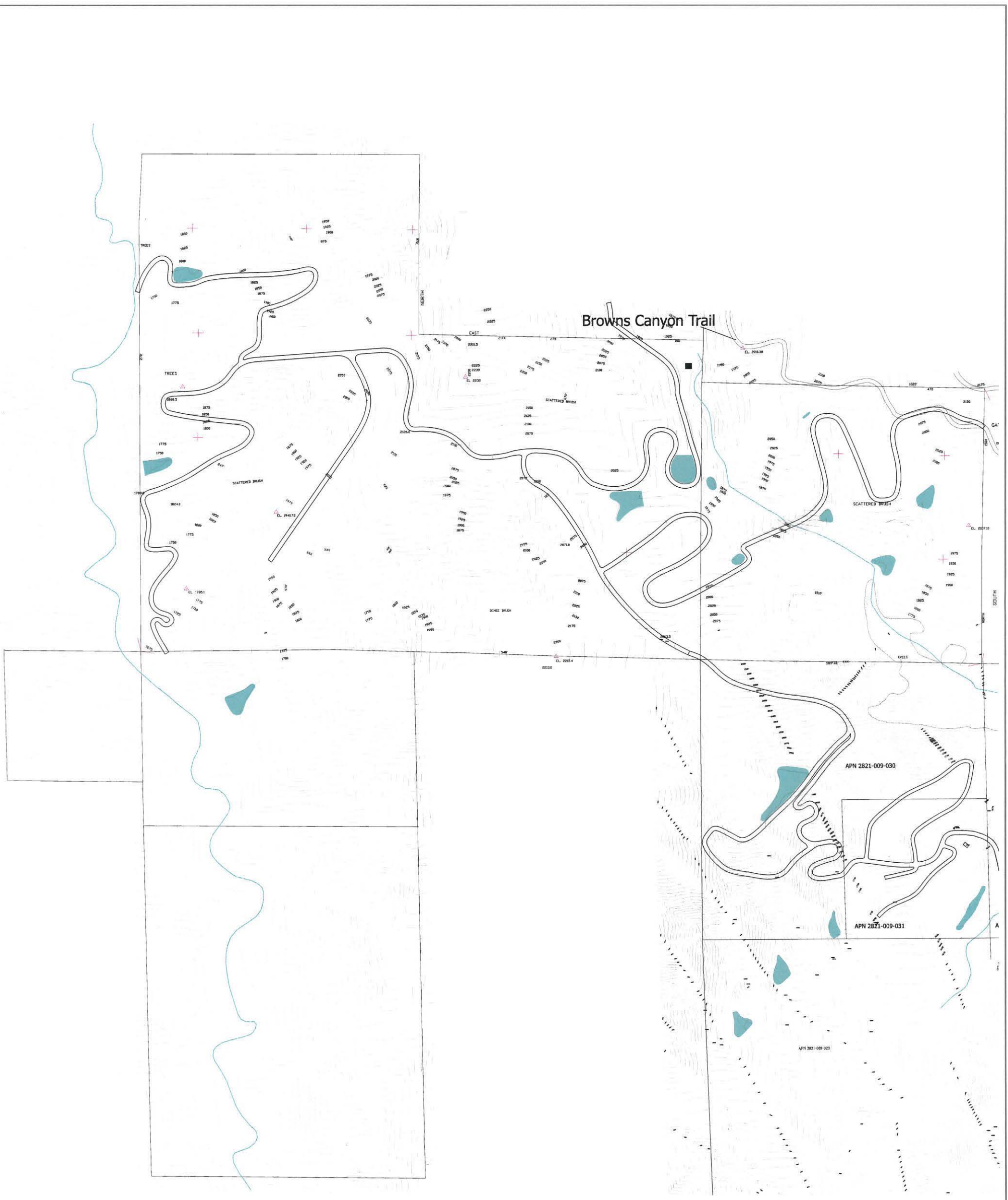
CONSTRUCTION MATERIAL STORAGE AND FILL PLAN

- Legend**
- Stockpile/Storage subject to CDO/CAO
 - Stockpile/Storage
 - Future Inert Fill
 - Soil Fill

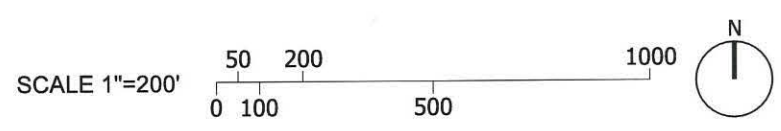


P R E L I M I N A R Y

10	SHEET NO.	SHEET TITLE	OWNER	OPERATOR	CIVIL ENGINEER	CIVIL ENGINEER SEAL	GEOLOGIST	GEOLOGIST SEAL	NO.	REVISION DESCRIPTION	DATE
		Construction Material Storage and Fill Plan for LAC Ranch	Wayne Fishback 3160 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com	ABC Waste Management 3160 Calusa Ave Simi Valley, CA 93063 (805)587-5780 todd@abcwmc.com	Philip J. Sherman P.E. P. O. Box 664 Oak View, CA 93022 (805)501-4599 pjsprone@sbcglobal.net		Coastal Geology & Soil Inc. P.O. Box 527 Summerland, CA 93067 (805)647-2842			Revision	3/31/15
										Revision	5/13/15
										Revision	9/11/15



SEDIMENT BASIN PLAN



P R E L I M I N A R Y

SHEET NO.	SHEET TITLE	OWNER	OPERATOR	CIVIL ENGINEER	CIVIL ENGINEER SEAL	GEOLOGIST	GEOLOGIST SEAL	NO.	REVISION DESCRIPTION	DATE
	15	Sediment Basin Plan	Wayne Fishback 3160 Calusa Ave Simi Valley, CA 93063 (805)341-4687 waynefishback@yahoo.com	ABC Waste Management 3160 Calusa Ave Simi Valley, CA 93063 (805)587-5780 todd@abcwmc.com	Philip J. Sherman P.E. P. O. Box 664 Oak View, CA 93022 (805)501-4599 pjsprone@sbcglobal.net		Coastal Geology & Soil Inc. P.O. Box 527 Summerland, CA 93067 (805)647-2842			

9/18/15

Conservation Plan Map

Date: 11/2/2007

Customer(s): B WAYNE FISHBACK

Field Office: LANCASTER SERVICE CENTER

Agency: USDA NRCS

Assisted By: Paul M. Nguyen

State and County: CA, LOS ANGELES

Approximate Acres: 266.9

Legal Description: T3N, R17W, S25 Oat Mtn. (Simi Valley, CA)



Legend



Consplan08

road_tanw_l_ca037



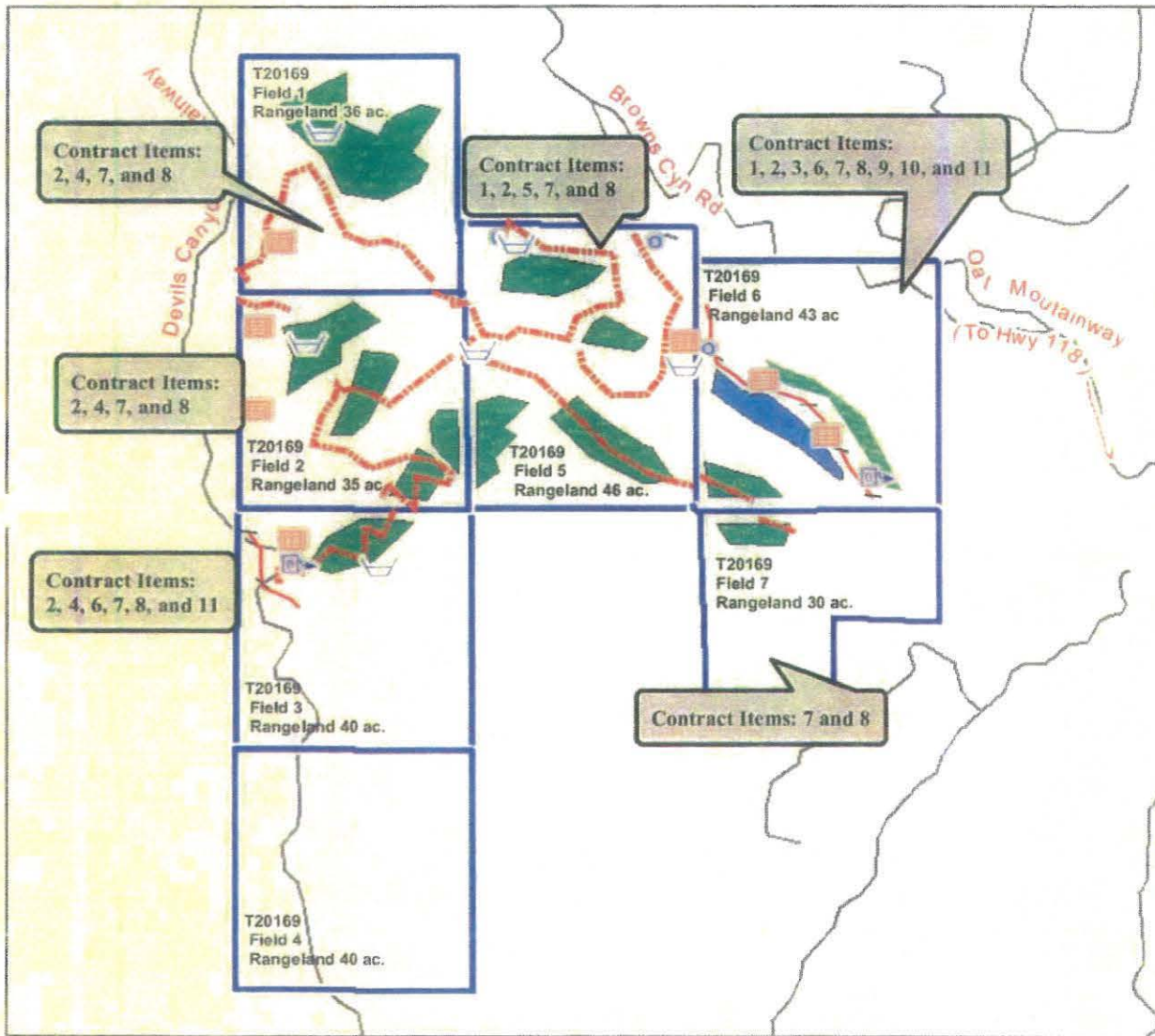


Conservation Plan Map

December 14, 2007

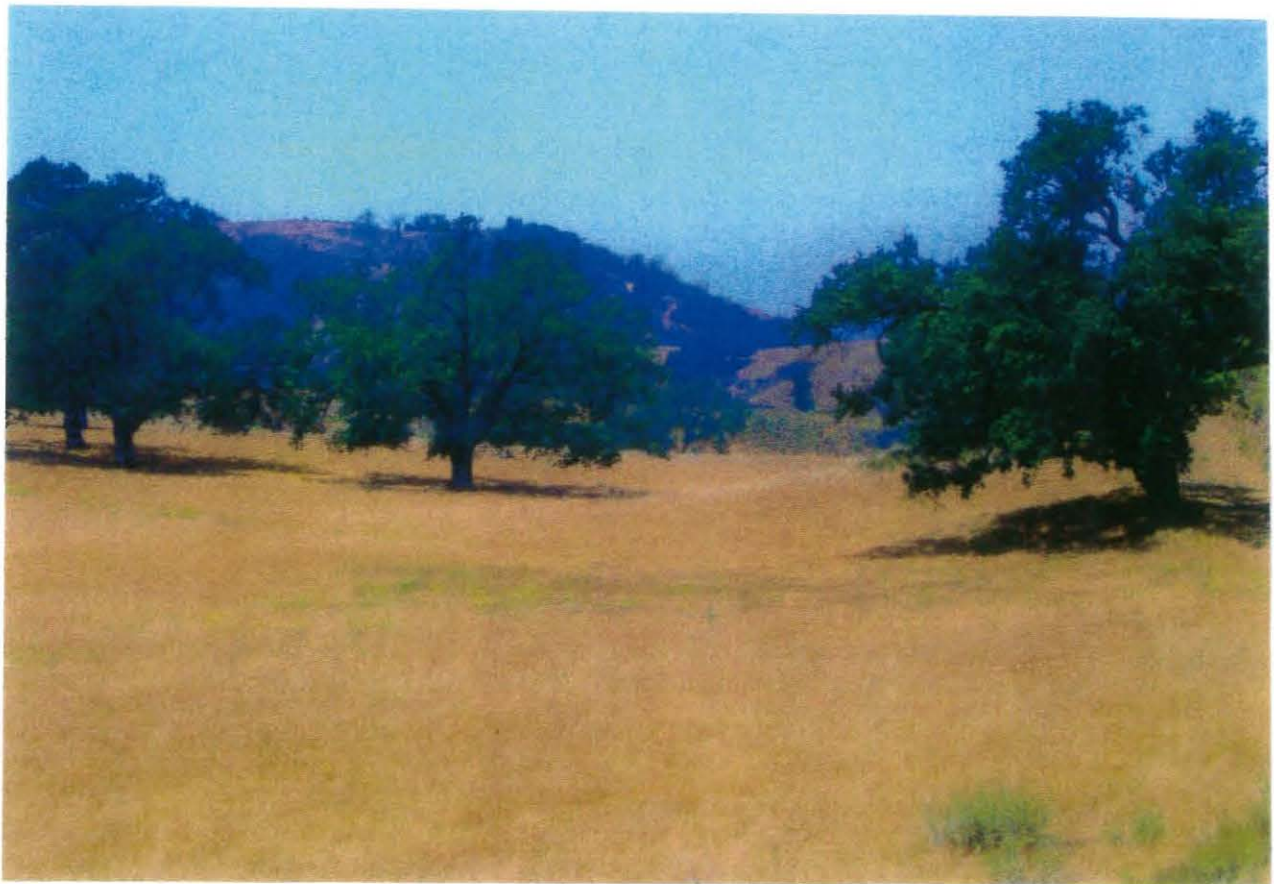
Customer(s): B WAYNE FISHBACK
Contract Number: 74910408180
Field Office: Lancaster Service Center
Approximate Acres: 270
Legal Description: T3N R17W S25, S36
Oat Mountain Quad

Agency: USDA NRCS
District:
Assisted by P Nguyen, N Heller
State and County: California, Los Angeles
Land Units: Farm 874 Tract 20169 Fields 1-7



THE RANCHs
at
ROCKY PEAK

N.R.C.S E.Q.I.P. GRANT

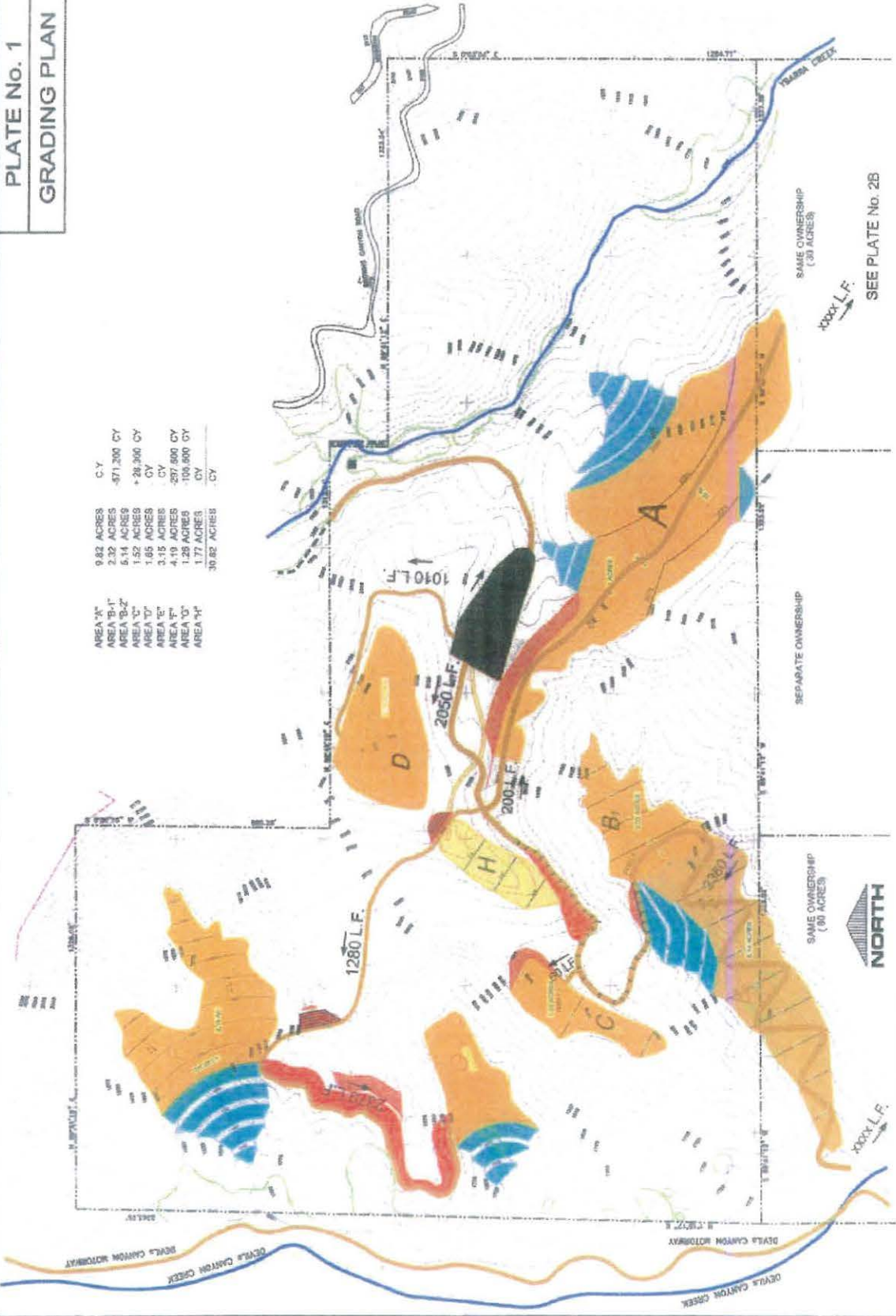


**PLATE No. 1
GRADING PLAN**

N.R.C.S. E.Q.I.P. GRANT

THE RANCH at ROCKY PEAK

AREA	ACRES	C.Y.
AREA "A"	9.82	-571,300
AREA "B-1"	2.32	+28,300
AREA "B-2"	5.14	+28,300
AREA "C"	1.52	-
AREA "D"	1.65	-
AREA "E"	3.15	-
AREA "F"	4.19	-297,600
AREA "G"	1.28	-109,600
AREA "H"	1.77	-
	30.82	-



SEE PLATE No. 2B

SEPARATE OWNERSHIP

SAME OWNERSHIP (80 ACRES)



SEE PLATE No. 2A

PLATE No 3
ACCESS ROADS

INGRESS-EGRESS ROAD (#560)

TO FIELD "E"	W=20'	1330 L.F.
TO NORVEY RANCH	W=20'	2380 L.F.
NORVEY RANCH	W=20'	xxxx L.F.
CORBRIDGE RANCH	W=20'	xxxx L.F.
		xxxx L.F.

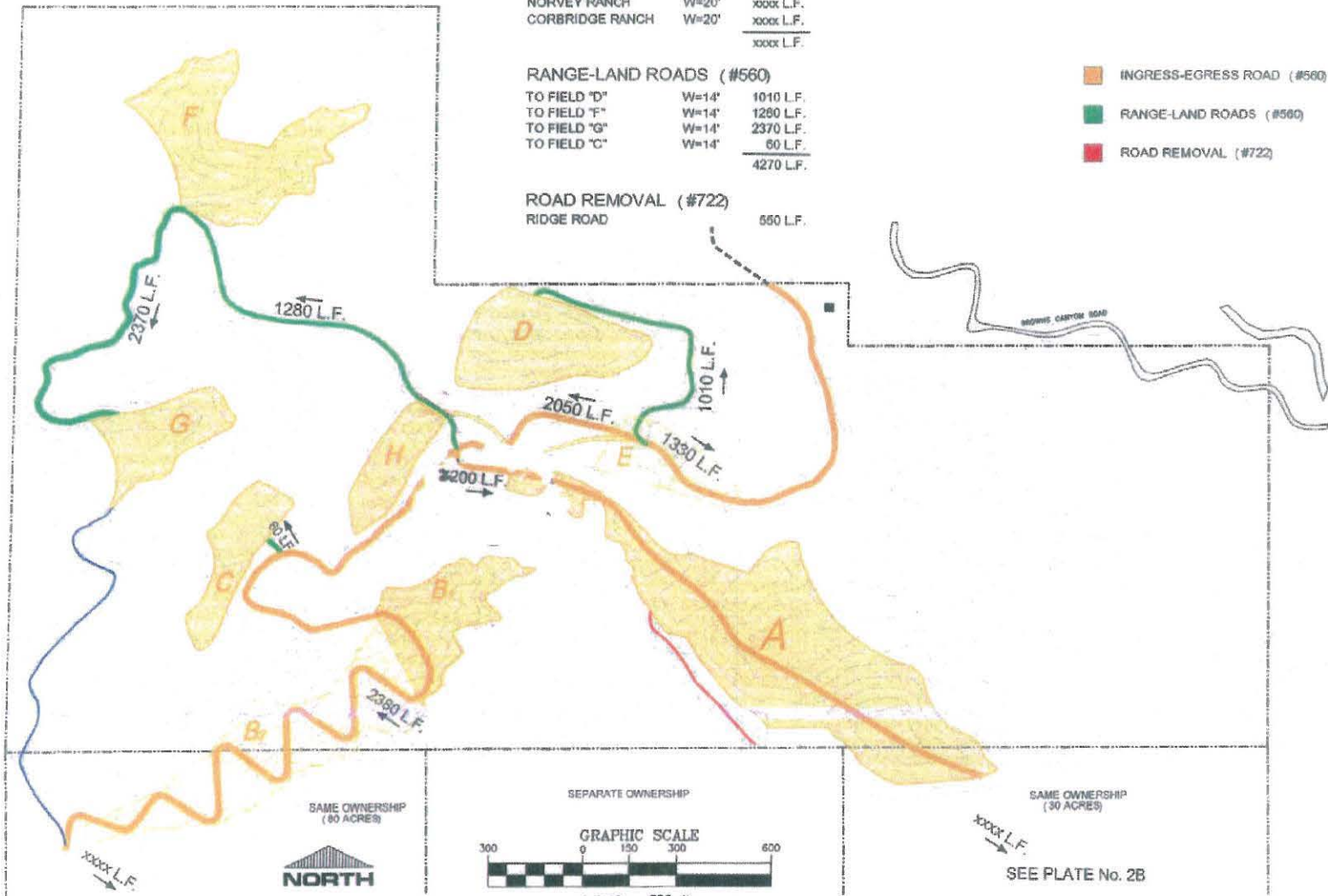
RANGE-LAND ROADS (#560)

TO FIELD "D"	W=14'	1010 L.F.
TO FIELD "F"	W=14'	1280 L.F.
TO FIELD "G"	W=14'	2370 L.F.
TO FIELD "C"	W=14'	60 L.F.
		4270 L.F.

ROAD REMOVAL (#722)

RIDGE ROAD	580 L.F.
------------	----------

- INGRESS-EGRESS ROAD (#560)
- RANGE-LAND ROADS (#560)
- ROAD REMOVAL (#722)



SEE PLATE No. 2A

SEE PLATE No. 2B

THE RANCH at ROCKY PEAK
N.R.C.S. E.Q.I.P. GRANT

THE RANCH at ROCKY PEAK

N.R.C.S. E.O.I.P. GRANT

PLATE No. 2

GRADE STABILIZATION

ROCK-DROP (#410A)
SEDIMENT BASIN (#638)

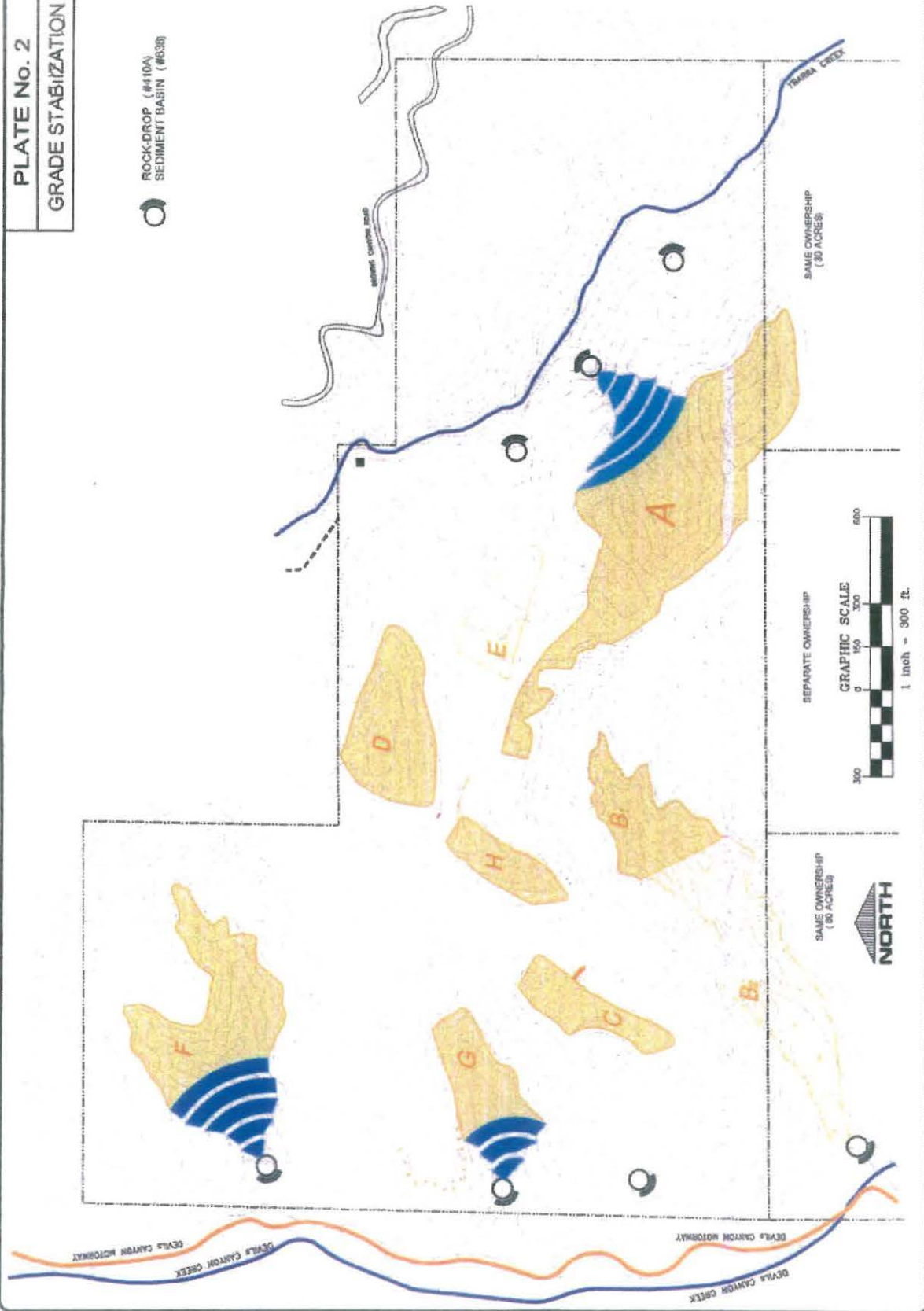


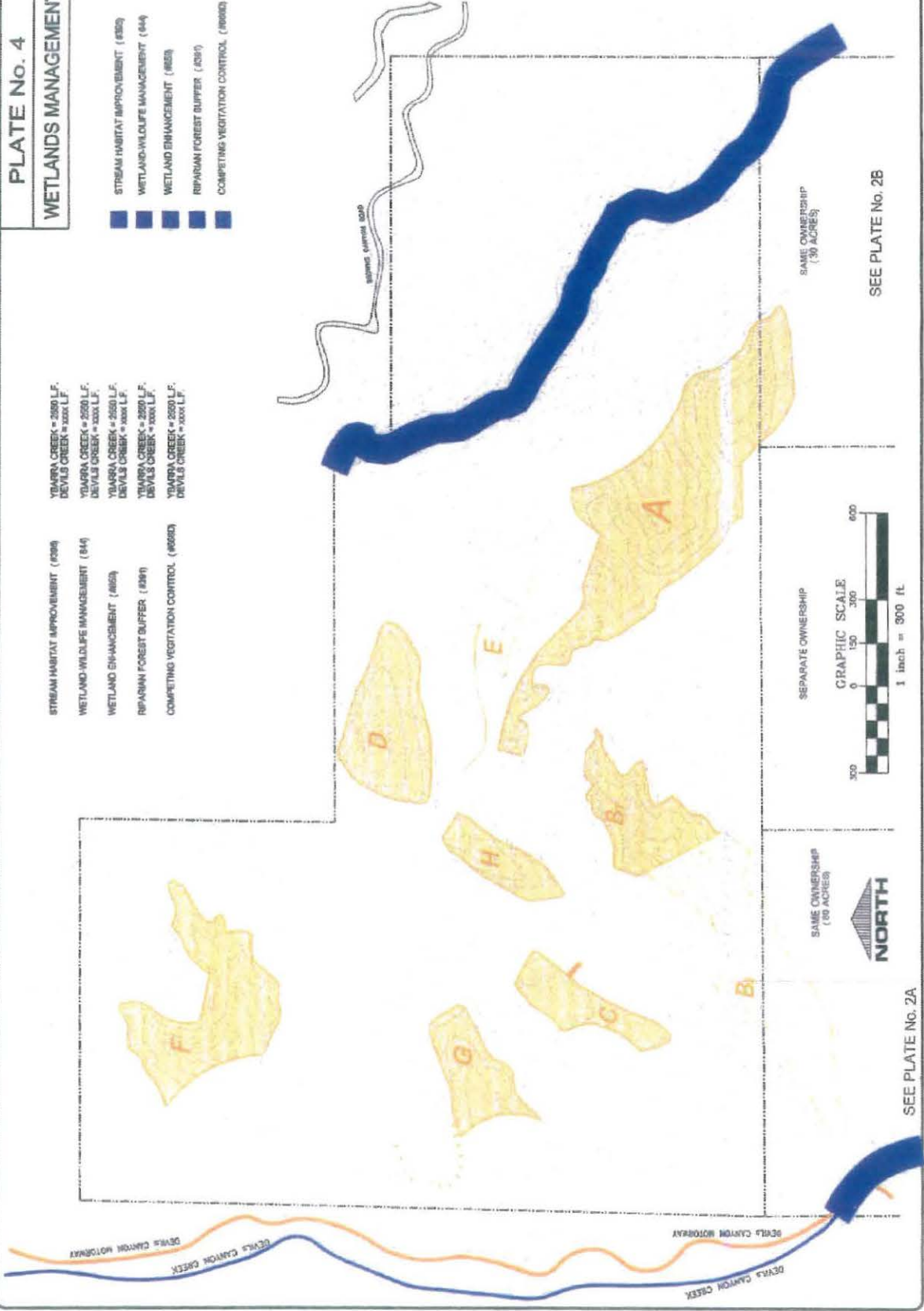
PLATE No. 4

WETLANDS MANAGEMENT

- STREAM HABITAT IMPROVEMENT (#009)
- WETLAND-WILDLIFE MANAGEMENT (#044)
- WETLAND ENHANCEMENT (#059)
- RIPARIAN FOREST BUFFER (#091)
- COMPETING VEGETATION CONTROL (#090)

- YAMPA CREEK = 2500 L.F.
- DEVILS CREEK = 2000 L.F.
- YAMPA CREEK = 2500 L.F.
- DEVILS CREEK = 2000 L.F.
- YAMPA CREEK = 2500 L.F.
- DEVILS CREEK = 2000 L.F.
- YAMPA CREEK = 2500 L.F.
- DEVILS CREEK = 2000 L.F.

- STREAM HABITAT IMPROVEMENT (#009)
- WETLAND-WILDLIFE MANAGEMENT (#044)
- WETLAND ENHANCEMENT (#059)
- RIPARIAN FOREST BUFFER (#091)
- COMPETING VEGETATION CONTROL (#090)



SEE PLATE No. 2A

SEE PLATE No. 2B



SAME OWNERSHIP
(20 ACRES)

NORTH

SEPARATE OWNERSHIP

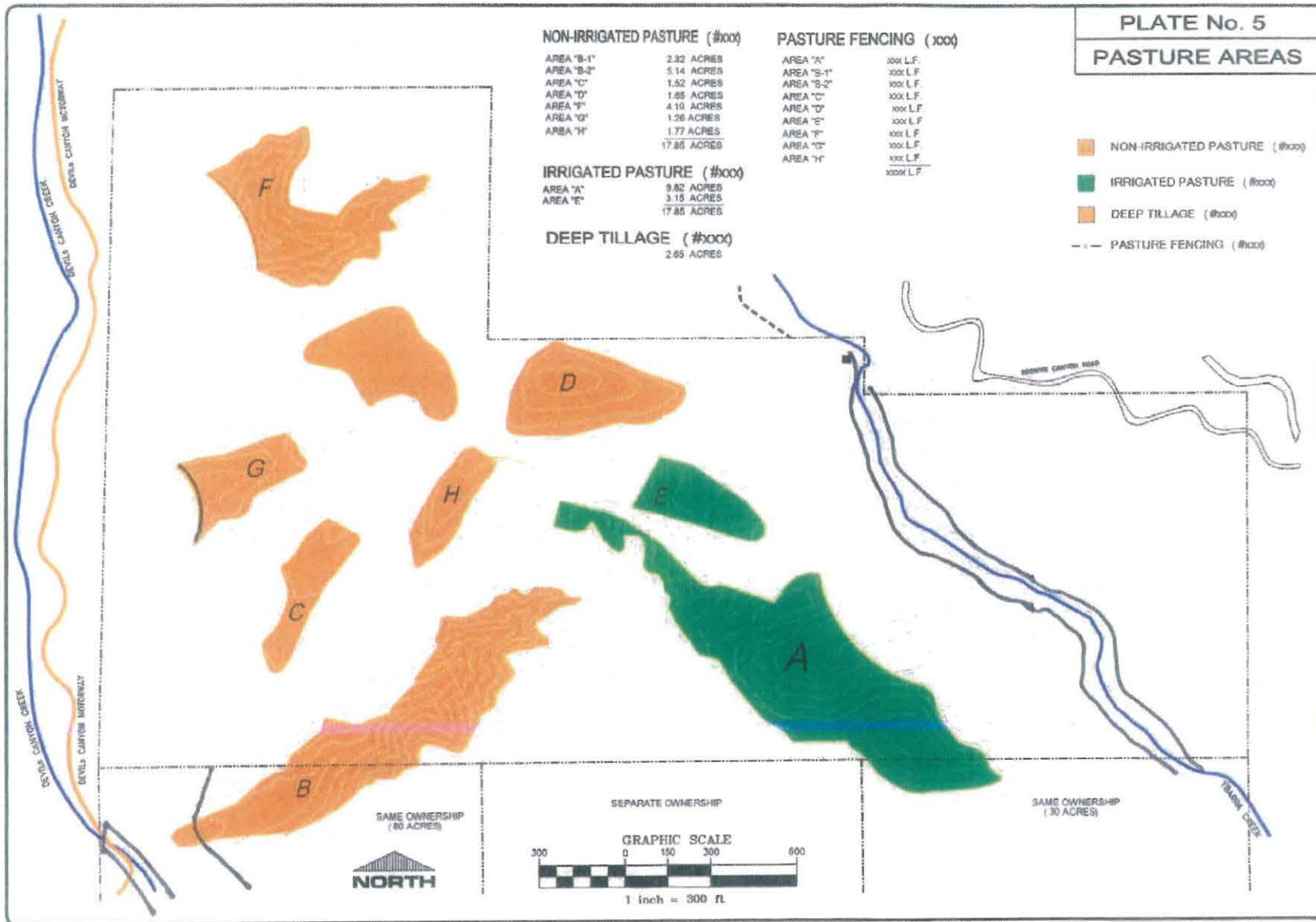
PLATE No. 5
PASTURE AREAS

NON-IRRIGATED PASTURE (#000)		PASTURE FENCING (x00)	
AREA "B-1"	2.22 ACRES	AREA "A"	1000 L.F.
AREA "B-2"	5.14 ACRES	AREA "B-1"	1000 L.F.
AREA "C"	1.52 ACRES	AREA "B-2"	1000 L.F.
AREA "D"	1.85 ACRES	AREA "C"	1000 L.F.
AREA "E"	4.19 ACRES	AREA "D"	1000 L.F.
AREA "G"	1.26 ACRES	AREA "E"	1000 L.F.
AREA "H"	1.77 ACRES	AREA "F"	1000 L.F.
	17.85 ACRES	AREA "G"	1000 L.F.
		AREA "H"	1000 L.F.

IRRIGATED PASTURE (#000)	
AREA "A"	9.82 ACRES
AREA "E"	3.15 ACRES
	17.85 ACRES

DEEP TILLAGE (#000)	
	2.85 ACRES

- NON-IRRIGATED PASTURE (#000)
- IRRIGATED PASTURE (#000)
- DEEP TILLAGE (#000)
- PASTURE FENCING (#000)

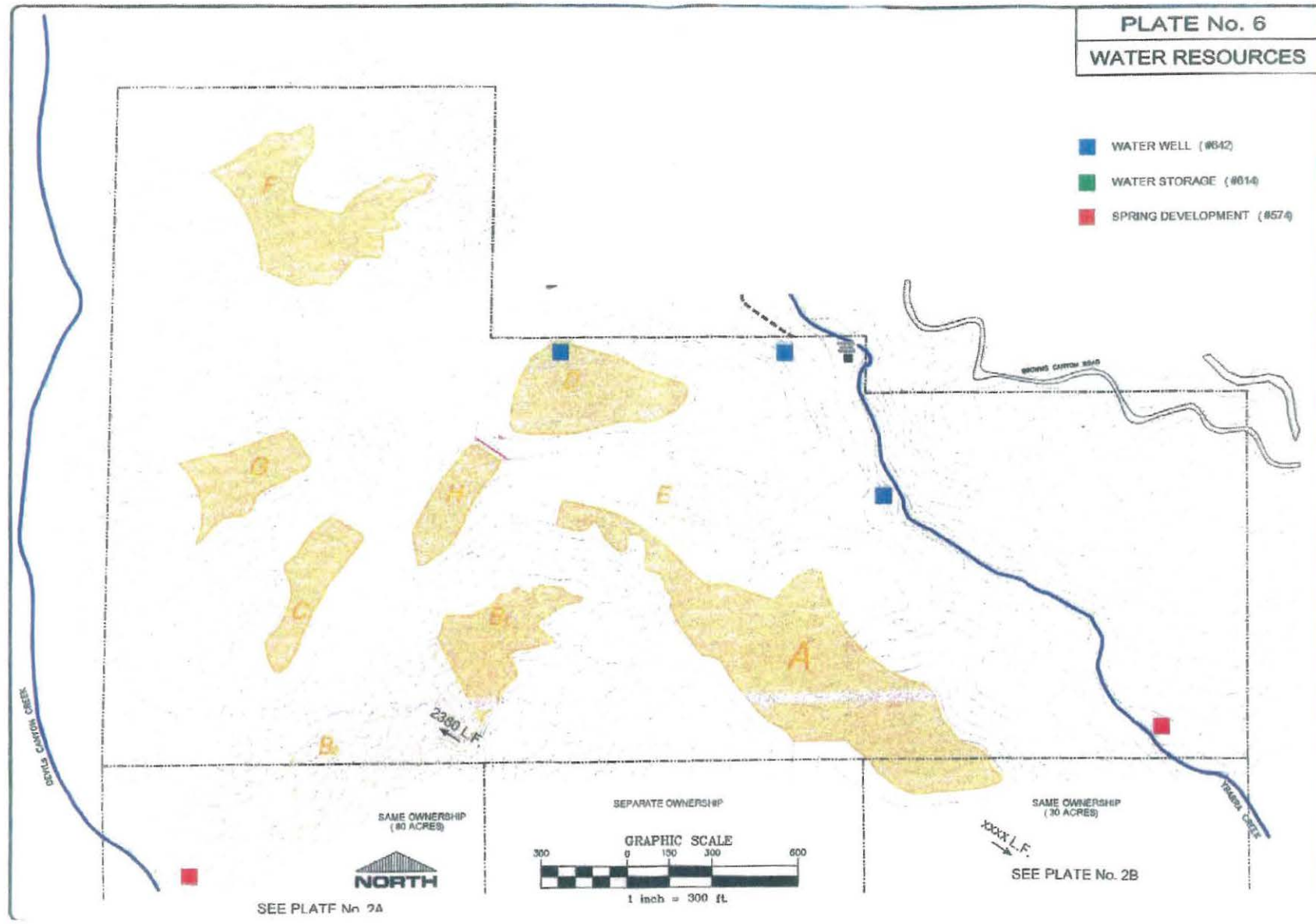


N.R.C.S. EQ.I.P. GRANT

THE RANCH at ROCKY PEAK

PLATE No. 6
WATER RESOURCES

- WATER WELL (#642)
- WATER STORAGE (#014)
- SPRING DEVELOPMENT (#574)



THE RANCH at ROCKY PEAK | N.R.C.S EQ.I.P. GRANT

SEE PLATE No. 2A

SAME OWNERSHIP
(80 ACRES)

NORTH

SEPARATE OWNERSHIP

GRAPHIC SCALE

300 0 150 300 600

1 inch = 300 ft.

SAME OWNERSHIP
(30 ACRES)

SEE PLATE No. 2B

US Department of Agriculture
Natural Resources Conservation Service

UTILITY CHECK SHEET

Farm Name/Owner: Wayne Fishback Contract Number: 74910408180

Project: EQIP

Location: T3N R17W Sections 25&36

Utilities Involved and Location: Gas, Water, Electric, Telephone, and Others

It shall be the responsibility of the landowner to notify the Contractor or persons doing the above stated construction of the presence of utilities on the site and to see that the Utility Companies are notified.

Land Owner or Operator Notified: Wayne Fishback By Whom: Paul Nguyen
(Contact Name)

How Notified: In Person/Utility Checklist Date: 12/12/2007

Work to be Done: Installation of water and sediment basins, water well, water pump, watering facility, pipeline, spring development, electric fence, access road, brush management, and range planting.
When: _____

Utility Company Notified: _____ By Whom: _____
(Contact Name)

How notified: _____ Date: ___/___/___

Request to locate utility: _____
(Utilities to be located and marked on site by utility company)

Utilities to be relocated: _____
(Work to be done)

Utilities to be relocated by: _____ When: _____

Request utility company representative be present on site during construction: _____

Response: _____

Contractor Notified: _____ By whom: _____
(Contact Name)

How: _____ Date: ___/___/___

Type of Utility: _____ Location: _____

Location in relation to work -- Vertical: _____ Horizontal: _____

Contractor shown utility location markings and/or stakes: _____

Utility location shown on drawings: _____

Remarks: It is recommended that the landowner notify Dig Alert (USA) 1-800-642-2444, at least two days before construction is started.

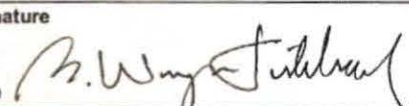
Prepared by: Nicole Heller Accepted by: _____
(Signature) (Landowner Signature)

CONSERVATION PROGRAM CONTRACT

Participant: B WAYNE FISHBACK	Program and Contract Number: EQIP 2002 74910408180
County and State: LOS ANGELES County, CA	Subaccount: Regular EQIP
Watershed: Santa Clara	This agreement is effective on the date signed by the Natural Resources Conservation Service approving official and extends through 9/30/2011

- The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and or maintain specific conservation practices, as set forth in the Conservation Plan or Schedule of Operations (NRCS-CPA-1155), on the property as identified on the plan map. In consideration for the implementation and or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the appendix.
- This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202, NRCS-CPA-1202 Appendix; NRCS-CPA-1155 Conservation Plan or Schedule of Operations and plan map which are fully incorporated by reference into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified (NRCS-CPA-1156) upon agreement of NRCS and the participant and becomes a part of the contract when signed by the NRCS approval official.
- The participant(s) agree: A) to implement and maintain conservation practices for the life of this agreement on the plan map in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from the local field office of the NRCS; B) to forfeit further payments under this agreement and refund the United States, in amounts determined by (3 A) NRCS, payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and C) to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and (3 B) the NRCS consents to the modification.

4. CONTRACT PARTICIPANTS

Name, Address, Telephone B WAYNE FISHBACK 3106 CALUSA AVE SIMI VALLEY, CA 93063 (805) 526-9757	SSN or TAX ID if applicable *****8658
Signature 	Payment Shares 100.00%
Date	
Signature required for modifications <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signature acceptable for payments <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

5. CONTRACT OBLIGATIONS

2008	2009	2010							Total
\$100,570	\$71,971	\$4,881							\$177,422
									\$177,422

6. NRCS APPROVING OFFICIALS

Application Approval	Contract Obligation
Date:	Date:

Natural Area;

Resource Concerns	Practices
Plant Condition: Forage Quality and Palatability	Access Road
Plant Condition: Forage Quality and Palatability	Fence
Plant Condition: Forage Quality and Palatability	Range Planting
Plant Condition: Forage Quality and Palatability	Water Well
Plant Condition: Forage Quality and Palatability	Watering Facility
Plant Condition: Noxious and Invasive Plants	Access Road
Plant Condition: Noxious and Invasive Plants	Water Well
Plant Condition: Noxious and Invasive Plants	Watering Facility
Plant Condition: Productivity, Health and Vigor	Access Road
Plant Condition: Productivity, Health and Vigor	Water Well
Plant Condition: Productivity, Health and Vigor	Watering Facility
Soil Erosion: Classic Gully	Filter Strip
Soil Erosion: Classic Gully	Riparian Forest Buffer
Soil Erosion: Classic Gully	Spring Development
Soil Erosion: Classic Gully	Water and Sediment Control Basin
Soil Erosion: Sheet and Rill	Filter Strip
Soil Erosion: Sheet and Rill	Spring Development
Soil Erosion: Sheet and Rill	Water and Sediment Control Basin
Water Quality: Excessive Suspended Sediment and Turbidity in Surface Water	Filter Strip
Water Quality: Excessive Suspended Sediment and Turbidity in Surface Water	Riparian Forest Buffer

Ranking Score

Efficiency:

Local Issues:

Medium Score: The maximum total points that can be earned in this category are 90. Local issues are ranked or scored base upon factors developed at the county level and posted to the CA EQIP programs website. Applications categorized "Medium Priority" in the screening process will be ranked after all High Priority applications are funded and if funds are available, will be approved according to the final ranking score.

State Issues:

Low Score: The maximum total points that can be earned in this category is 232. Applications categorized "Low Priority" in the screening process will be ranked after all High and Medium Priority applications are funded and if funds are available, will be approved according to the final ranking score.

National Issues:

Low Score: The maximum total points that can be earned in this category is 50. Applications categorized "Low Priority" in the screening process will be ranked after all High and Medium Priority applications are funded and if funds are available, will be approved according to the final ranking score.

Final Ranking Score:

This ranking report is for your information. It does not in any way guarantee funding. When funding becomes available, you will be notified if your application is selected for funding. Some changes to the application may be required before a final contract is awarded.

Notes:

NRCS Representative:	Application Signature Not Required for Contract
-----------------------------	--

<p>Paul Mac Nguyen</p> <p>USDA electronic signature; manual signature not required.</p> <p>Signature Date: 12/13/2007</p>	<p>Development unless required by State policy:</p> <p><i>B. Wayne Tibbels</i></p> <p>Signature Date:</p>
---	---

Conservation Technical Assistance Report
For Wayne Fishback
February 8, 2008

Casey Burns
NRCS Biologist ✓

Introduction

On January 24, 2008, I visited Wayne Fishback and Paul Nguyen, Soil Conservationist from the Lancaster Field Office, on Mr. Fishback's property just north of the San Fernando Valley in LA County. Mr. Fishback has been buying pieces of land in this area over the last year. The irregular shaped property is bordered on many sides by the Santa Monica Mountains Conservancy's (SMMC) Michael D. Antonovich Regional Park to the north, south, and east and SMMC's Rocky Peak Park to the west, as well as other boundaries with private lands. There are two main watersheds on the property, intermittent Ybarra Creek on the east side and perennial Devil's Creek on the west. The confluence of these two watersheds is just downstream of the property and is part of the Los Angeles River watershed.

On the day of the field visit, the weather was rainy, with a brief period of sleet at a higher elevation (3,000ft+). The rainfall had been significant the previous few days. Mr. Fishback's property is extremely steep, with nearly all natural, relatively undisturbed habitats. There are no access roads that were accessible by vehicle due to the rain, so we hiked for three hours to see a representative cross-section of his land. The amount of erodible land (the mines and the roads) is less than 1% of the total land cover. Walking in the drainages, there was little sign of sediment deposition or erosion. A naturally vegetated area will yield little sediment off the slopes, and that seemed true for this site.

The land is naturally vegetated with various types of chaparral, oak/walnut woodland with a native grass understory, and riparian habitats. There are very low occurrences of invasive plants, since there has been very little ground disturbance. The area burned in 2003 and is recovering nicely. However, there has been some mortality of the live oaks. This may have been due to repeated fires in the area.

Three federally listed plants are known from the area, and could occur on or near the property (see attachment 4). California Orcutt grass (*Orcuttia californica*) is an inconspicuous annual vernal pool species. Although no vernal pools were observed on the property, they may be found onsite in areas not visited during the tour. The steep topography of the land makes vernal pools less likely to occur. San Fernando spineflower (*Chorizanthe parryi* var. *fernandina*) is a member of the buckwheat family and was thought to be extinct until rediscovered in 1999 in the Simi Hills. This small plant occurs on dry sandy soil, which is prevalent on the property. Surveys for this annual species should occur before any ground disturbance occurs. Slender-horned spineflower (*Chorizanthe leptoceras*) is a small annual plant known from silty soil, sometimes with cobble, on alluvial fans, floodplains, and washes. Some of this habitat may occur near Devil's Creek. Habitat should be evaluated for this species and surveys may be necessary before ground disturbance occurs. Santa Susan tarplant (*Hemizonia minthornii*), a "rare" listed plant by CA Department of Fish and Game (DFG), is known from numerous records one mile south of the property near HW 118. This shrub can grow quite large (3ft high and 10ft wide), and occurs on open rocky areas in chaparral. Habitat for this species is possible on the property and surveys should occur before and disturbance or brush clearing occurs.

The land is likely used by a variety of animals, including large predators such as black bears and mountains lions. The habitat diversity and the relative untouched nature of the land likely would make for a very high wildlife diversity. Two sensitive animals are also likely found on the property. The coast (or San Diego) horned lizard (*Phrynosoma coronatum*) should be assumed to be present, and is likely to be found in open chaparral. The two-striped garter snake (*Thamnophis hammondi*) is found near water and should be assumed to be present near Devil's creek. While the creek could be suitable southern California steelhead (*Oncorhynchus mykiss iridius*) habitat, it is currently inaccessible due to the impassability of the Los Angeles River. There are not likely any federally listed animals on the property.

Recommendations

From a biological perspective, this property is in excellent shape. It is encouraging to see healthy wildlands so close to the San Fernando Valley. The steep topography and difficult access has likely kept humans and livestock impacts to a minimum.

Recommendations

From a biological perspective, this property is in excellent shape. It is encouraging to see healthy wildlands so close to the San Fernando Valley. The steep topography and difficult access has likely kept humans and livestock impacts to a minimum.

The following are my recommendations, some based on things that I noticed and others based on information requested by Mr. Fishback:

- There are roads on the property that the recent storms have rendered currently impassible. Some of these roads will likely have long-term maintenance issues. The roads were poorly designed, and the soils are very sandy in places, and therefore very erodible. I would recommend closing some of the more erosion prone roads and redesigning and regrading the roads that need to be kept. Put waterbars and controlled water outlets on roads that must be kept. An NRCS engineer can provide further information.
- There were a few sand and gravel mines on the property. Some are ongoing operations, while others are abandoned. The erosion on these areas is significant and Mr. Fishback plans to deal with it. I would recommend getting an erosion control design from an NRCS engineer, then when the gully erosion is treated, seed the inactive areas with the "Seed Mix for Hot Dry Disturbed Areas" (see attachment 2). This mix contains native plant species that are suited to grow in the harshest conditions. Supplemental irrigation is recommended for at least one year.
- Survey for the habitat of the endangered plants mentioned above, then survey for the plants at the appropriate time of the year. It will be important to know if the plants are present to avoid impacts. Protocol surveys may need to be done if suitable habitat for the plants would be altered. If detailed surveys are not done, it would be good to at least become familiar with the plants and their habitats to try to avoid any potential impacts.
- Clean the garbage out from Ybarra Creek. This will eventually make its way to the ocean.
- Be vigilant with erosion and invasive plants on the new pastures. These will likely be issues on areas where vegetation has recently been cleared. I would expect mustards and thistles to show up quickly. The best thing to do to reduce erosion and invasive plants would be to get your desired vegetation established as soon as possible. I would recommend considering native perennial bunchgrasses, along with annual grasses, to establish a native grassland pasture. Native perennial bunchgrasses are very deep rooted (up to 10ft compared to around 1ft for annual grasses) and will provide stabilization and green forage for most of the year, since they can access deeper soil moisture. I would recommend requesting further assistance from a NRCS range conservationist to come up with a grazing plan and to work with Paul and me to come up with a pasture seeding recommendation.
- I observed many oaks dead or displaying reduced vigor, likely at least partially due to the 2003 wildfire. Fall 2007 was an excellent acorn production year, and I am guessing there will be significant recruitment apparent by fall 2008. If this does not materialize, I would then recommend trying to establish oaks from acorns (see attachment 3) or container plants. Be sure to use locally collected acorns or to use container plants that are from local oaks to ensure the genetic integrity of the oaks ~~oaks~~.
- I would not recommend stocking any fish in Devil's Creek, due to the potential impacts from predation on local invertebrate and amphibian populations. I would not recommend damming the creek.
- I would not recommend clearing any southern California black walnut, since they are protected by DFG and ~~conservation~~ ~~are~~.

I will be glad to discuss any of these recommendations in more detail with Mr. Fishback.

Subject: RE: Fletcher Nelson

From: Nguyen, Paul - NRCS, Lancaster, CA (Paul.Nguyen@ca.usda.gov)

To: waynefishback@yahoo.com;

Date: Wednesday, September 16, 2015 10:28 AM

Hi Wayne,

Ok I forwarded your messages to Fletch.

Paul

-----Original Message-----

From: Wayne Fishback [mailto:waynefishback@yahoo.com]
Sent: Wednesday, September 16, 2015 10:16 AM
To: Nguyen, Paul - NRCS, Lancaster, CA <Paul.Nguyen@ca.usda.gov>
Subject: Fletcher Nelson

Hi Paul,

Please have Fletcher Nelson email me the standard that Casey Burns referred to as "Seed Mix got Hot Dry Disturbed Areas". He commented that this mix was designed to grow in the "harshest conditions".

I'll send you a pic of his CTA Report.

Wayne
Sent from my iPhone

Subject: Seed Mix

From: Nelson, Fletcher - NRCS, Lancaster, CA (Fletcher.Nelson@ca.usda.gov)

To: waynefishback@yahoo.com;

Date: Wednesday, September 16, 2015 2:17 PM

Mr. Fishback,

Please see attached report and NRCS Practice Standards for reference.

Sincerely,

Fletch Nelson

USDA-NRCS Range Management Specialist

44811 N. Date Avenue Suite G

Lancaster, CA 93534

(661) 945-2604 Ext. 111

Mr. Fishback,

RE: your inquiry about seed mixes. As I understand it, your short term objective is to provide plant cover for erosion protection, with a long term objective of creating an oak savannah plant community on disturbed/deposited soils.

Attached are two different seed mix options with these objectives in mind. They were developed using the NRCS eVegGuide and represent NRCS's recommendation for conservation practice plantings. These recommendations are limited and don't include every species that may be appropriate for your site. Seed vendors may include additional species in their mixes; as long as the vendor is familiar with California annual rangelands and avoids plants toxic to livestock, the mix will probably work.

Critical Area Planting – Introduced Annuals: This mix will establish quickly and aggressively to protect against soil erosion and weed invasion. All species in this mix are non-native, but are naturalized and desirable forage species. There are many other native and non-native species common to Southern California oak woodlands not included in this mix. Some of the most dominant are filaree, wild oats, burrcllover and other medics, owl's clover, riggut brome, goldfields, and deerweed. These and many others will likely colonize the site on their own over time.

Range Planting – Native Perennials: Species in this mix are bunchgrasses native to California. Establishment of native perennials in the face of competition from introduced annuals is very challenging, and generally requires control of competition pre- and post-planting through tillage and/or herbicides. Other native perennials appropriate for forage production on the site are: giant wildrye, foothill needlegrass, nodding needlegrass, Junegrass, melics, and deerweed.

Also attached are our Practice Standards for Critical Area Planting and Range Planting.

Sincerely,

Fletch Nelson
USDA-NRCS Lancaster
44811 N Date Ave Ste G
Lancaster, CA 93536
661 345 2604 X 111



NRCS California eVegGuide
Final Plant Mix Percentages

September 16, 2015 12:19 PM

MLRA 20

Irrigation Required? N

4Eta Zone d (12-15 inches)

Veg Soil Group

Resident Status introduced

Practice 342 Critical Area Planting

Growth Cycle

Sub-Practice

Plant Type

Notes:

PLANTS Symbol	Common / Scientific Name	Cultivar	Mix Percent	PLS Lbs/Acre		Spacing Feet	Resident Status	Growth Cycle	Plant Type	Footnotes
				Drilled	Broadcast					
VUMY	'Zorro' Annual Fescue <i>Festuca myuros</i>	Zorro	20%	0.4	0.6	0	introduced	Annual	Grass or Grass-like	13,122,121
VIVV8	'Lana' vetch, Winter vetch <i>Vicia villosa ssp. varia</i>	Lana	10%	9.6	13.44	0	introduced	Annual	Legume	
BRHO2	'Blando' Brome, Soft chess <i>Bromus hordeaceus</i>	Blando	40%	2.4	4	0	introduced	Annual	Grass or Grass-like	13,122,120
TRHI4	Rose clover <i>Trifolium hirtum</i>	Local ecotype	10%	0.67	0.93	0	introduced	Annual	Legume	35,122
Footnotes:										
13 Provides rapid cover plus reseeding capabilities										
35 Bee-friendly plants, attracts native pollinating insects										
120 Plant in areas isolated from vernal pools, riparian areas and wetlands										
121 Plant in areas isolated from riparian areas, chaparral or coastal sage scrub										



NRCS California eVegGuide
Final Plant Mix Percentages

September 16, 2016 12:06 PM

MLRA 20

Irrigation Required? N

4Eta Zone d (12-15 inches)

Veg Soil Group

Resident Status native

Practice 550 Range Planting

Growth Cycle

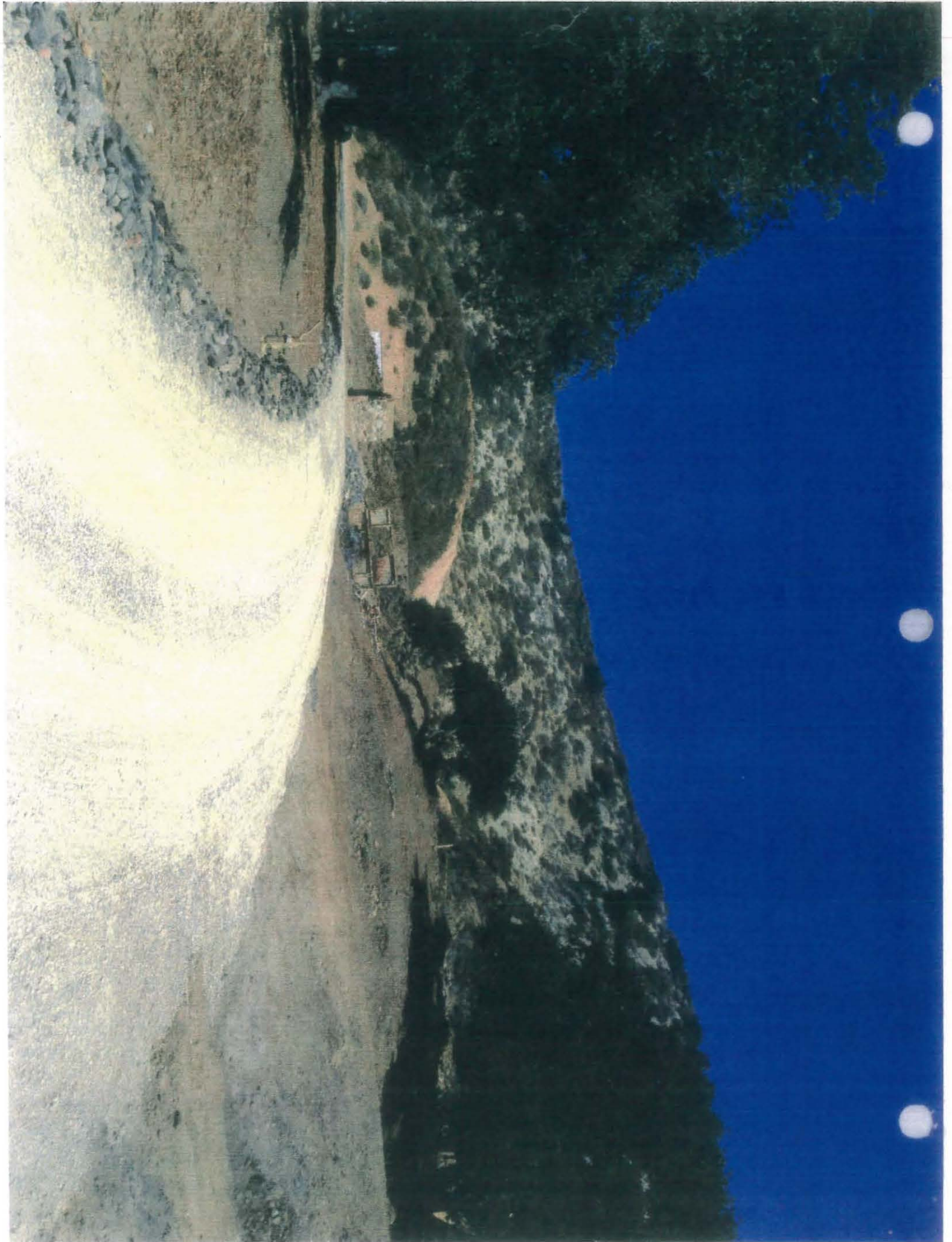
Sub-Practice 1

Plant Type

Notes:

--

PLANTS Symbol	Common / Scientific Name	Cultivar	Mix Percent	PLS Lbs/Acre		Spacing Feet	Resident Status	Growth Cycle	Plant Type	Footnotes
				Drilled	Broadcast					
NAPU4	Purple needlegrass <i>Stipa pulchra</i>	None	20%	1.98	2.78	1	native	Perennial	Grass or Grass-like	77
ELGL	Blue wildrye <i>Elymus glaucus</i>	None	25%	2.02	2.82	0	native	Perennial	Grass or Grass-like	77
BRCA5	California brome <i>Bromus carinatus</i>	None	30%	3.15	4.41	0	native	Annual / Perennial	Grass or Grass-like	
POSE	Pine bluegrass <i>Poa secunda</i>	None	25%	0.25	0.38	0	native	Perennial	Grass or Grass-like	
Footnotes:	77 Attracts beneficial insects									



















9/10/15

COPY

NO FEE DUE
GOV'T CODE § 6103

1 MARY C. WICKHAM, Interim County Counsel
LAWRENCE L. HAFETZ, Assistant County Counsel
2 TRACY SWANN, Senior Deputy County Counsel
(SBN 172899) • *tswann@counsel.lacounty.gov*
3 648 Kenneth Hahn Hall of Administration
500 West Temple Street
4 Los Angeles, California 90012-2713
Telephone: (213) 974-1935 · Fax: (213) 613-4751

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

SEP 11 2015

Sherri R. Carter, Executive Officer/Clerk
By Kimberly Johnson, Deputy

5 Attorneys for COUNTY OF LOS ANGELES and
6 the PEOPLE OF THE STATE OF CALIFORNIA

7
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES, NORTH VALLEY DISTRICT

12 PEOPLE OF THE STATE OF CALIFORNIA,
by and through Mary C. Wickham, Interim
13 County Counsel for the County of Los
Angeles, and COUNTY OF LOS ANGELES,

CASE NO. PC 056 481

DECLARATION OF TRACY SWANN IN
SUPPORT OF PLAINTIFFS'
APPLICATION FOR AN ORDER TO
SHOW CAUSE RE: PRELIMINARY
INJUNCTION

14 Plaintiffs,

15 vs.

Assigned to the Honorable Stephen P. Pfahler

16 BARTON WAYNE FISHBACK, an
17 individual and doing business as, ALPHA,
BRAVO, COCA WASTE MANAGEMENT
18 CORP, a California Corporation, CHARLES
LEE, an individual, CEPHEID V, LLC., and
19 DOES 1 THROUGH 50, inclusive,

DATE: September 11, 2015
TIME: 8:30 a.m.
DEPT.: F49

20 Defendants.

21

22 DECLARATION OF TRACY SWANN

23 I, TRACY SWANN, declare as follows:

24 1. I am an attorney duly admitted to practice before this Court. I am a Senior Deputy
25 County Counsel of the Office of the County Counsel for the County of Los Angeles and I am one
26 of the attorneys of record for the COUNTY OF LOS ANGELES ("County") and the PEOPLE OF
27 THE STATE OF CALIFORNIA ("People"). I make this declaration in support of this application
28 for an order to show cause re: preliminary injunction and I have personal knowledge of the facts

1 set forth herein. If called as a witness, I could and would competently testify to the matters stated
2 herein.

3 2. On July 6, 2015, Plaintiffs, the County and the People filed an original complaint in
4 this matter. The assigned case number is PC 056481 (hereinafter "Action").

5 3. On July 20, 2015, Plaintiffs filed a first amended complaint in this Action. The
6 amended complaint names Alpha, Bravo, Coca Waste Management Corp. as a defendant.

7 4. All named parties to the Action have been served with a first amended summons
8 and first amended complaint. True and correct copies of Proofs of Service are attached as Exhs I
9 - 4. None of the named parties to the Action have answered or otherwise appeared in this Action.

10 5. This application for an order to show cause re: preliminary injunction is made
11 pursuant to California Code of Civil Procedure section 527 and California Rules of Court,
12 Rule 3.1150 to seek an injunction pending trial of the dumping and grading activities of the
13 defendants without required land use and grading permits from the County. Plaintiffs bring this
14 application on an ex parte basis to set a hearing date and briefing schedule because the earliest
15 date available to reserve a hearing date for a timely noticed and personally served motion
16 according to the Court Reservation System is in February 2016.

17 6. On or about September 2, 2015, I received a letter from the Chatsworth
18 Neighborhood Council stating that the community members have noted the grading activity and
19 damage to the upper canyons at the foot of the Santa Susana Mountains (near Ybarra Canyon into
20 Devils Canyon) which drains into Browns Creek and the Los Angeles River. The community
21 complains that defendants, namely Barton Wayne Fishback, have failed to comply with orders
22 issued by the County and request the County to "take all steps necessary to stop this illegal dirt
23 movement." The community expresses concern from the expected El Nino events in the next few
24 months and the loose dirt and construction debris resulting from the grading activity in the
25 canyons. A true and correct copy of the letter from the Chatsworth Neighborhood Council is
26 attached as Exhibit 5.

27 7. Attached as Exhibit 6 is a true and correct copy of an inspection report from the
28 Los Angeles Regional Water Quality Control Board conducted on or about May 4, 2015. I

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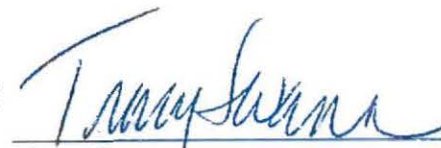
27 7. Attached as Exhibit 6 is a true and correct copy of an inspection report from the
28 Los Angeles Regional Water Quality Control Board conducted on or about May 4, 2015. I

1 received this report on or about September 4, 2015. The report concerns properties along Browns
2 Canyon Road in Oat Mountain in the unincorporated County of Los Angeles, referred to as
3 "Fishback Ranch" and identified by Los Angeles County Assessor Parcel Number ("APN") 2821-
4 009-030 ("Parcel 30"), APN 2821-009-031 ("Parcel 31"), APN 2821-002-023 ("Parcel 23"), and
5 APN 2821-002-025 ("Parcel 25") (collectively "Properties"). The report including photographs
6 and maps, shows that extensive grading and dumping of waste material have occurred on the
7 Properties. The report also states that the "[i]mported wastes observed at the site generally consist
8 of soil, concrete, weathered asphalt, and broken bricks."

9 8. Attached as Exhibit 7 is a true and correct copy of an inspection report from the
10 Los Angeles Regional Water Quality Control Board that I also received on or about September 4,
11 2015 concerning the Properties. In the report, the Los Angeles Regional Water Quality Control
12 Board states that it recently conducted another inspection of the Properties on August 4, 2015.
13 The report, including photographs, shows that the areas of waste disposal were obviously
14 increased on Parcel 30 and Parcel 31 as compared to what was observed during the May 4, 2015
15 inspection.

16
17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19
20
21 Executed this 10th day of September, 2015
22 at Los Angeles, California


23 Tracy Swann
24 Senior Deputy County Counsel
25 COUNTY OF LOS ANGELES
26 OFFICE OF THE COUNTY COUNSEL
27
28

Los Angeles Regional Water Quality Control Board

INSPECTION REPORT

Facility Name: Fishback Ranch (Los Angeles County Assessor Parcel Numbers (APNs) 2821-009-030, 2821-009-031, 2821-002-023, and 2821-002-025)

Inspector: Wen Yang, Sr. Engineering Geologist WY August 5, 2015

Reviewer: Rebecca Chou, Sup. WRCE RC 5/11/15 2015

Purpose: To investigate site conditions in response to a complaint from the Santa Monica Mountains Conservancy

Date of Inspection: August 4, 2015, 8:30 AM - 11:00 AM

Weather: Sunny. No rain in the area in the days preceding the inspection.

Also Present: Valerie CarrilloZara from the Regional Board 401 Certification Program and Ranger Tony Scattaglia from the Santa Monica Mountains Conservancy participated in the site visit.

Background: Mr. Wayne Fishback owns large parcels of property in the Brown's Canyon and Devils Canyon area in Chatsworth, Los Angeles County (Figure 1), and has been conducting grading/terracing and inert waste filling/stockpiling operations in at least three of his parcels (APNs 2821-002-023, 2821-002-025 and 2821-009-030) and one neighboring parcel (APN 2821-009-031) owned by Mr. Charles Lee. On October 20, 2014, Mr. Fishback and Mr. Lee were issued letters of exemption (LOEs) by Regional Board staff stating that Clean Water Act section 401 certification and waste discharger requirements (WDRs) were not required for proposed grading and inert waste reuse in APNs 2821-009-030 and 2821-009-031.

On February 25, 2015, the Los Angeles County Department of Public Health Solid Waste Management Program, acting as local enforcement agency (LEA) to the California Department of Resources Recycling and Recovery (CalRecycle), issued a Cease and Desist and Corrective Action Order to Mr. Fishback for disposal of solid waste and/or the deposition of fill without required solid waste facility permits, notifications, engineering specifications, or exemptions as may be applicable, in APNs 2821-002-023 and 2821-002-025. On April 30, 2015, the LEA issued similar Cease and Desist and Corrective Action Orders to Mr. Fishback and Mr. Lee for similar activities at APNs 2821-009-030 and 2821-009-031, respectively. On May 12, 2015, Regional Board staff revoked the LOEs issued on October 20, 2014, following an inspection on May 4, 2015, during which staff observed that grading/disposal operations in APNs 2821-009-030 and 2821-009-031 were extended outside the scope of operations as previously disclosed to the Regional Board.

On July 30, 2015, the Santa Monica Mountains Conservancy reported to the regional Board of possible illegal dumping of wastes in the Devils Canyon

area. The inspection was conducted to assess site conditions in response to the complaint.

**Observations/
Findings:**

The inspection consisted visual observations made at boundaries between parcels owned by Mr. Fishback and the Conservancy along Browns Canyon Road, as following:

1. APN 2821-002-025 - There had been significant grading/filling activities in the area since the inspection of May 4, 2015. A small valley connected to Browns Canyon appeared to have been filled with debris. The dirt roads in the parcel appeared to have been re-graded or widened recently (Figure 2).
2. APN 2821-002-023 - No significant change was observed in this area since the inspection of May 4, 2015 (Figure 3).
3. APNs 2821-009-030 and 031 - Waste disposal/terracing activities were going on in the area. At least five trucks were observed hauling wastes to that area during the site inspection. Areas of waste disposal/terracing were obviously increased comparing to what was observed during the May 4, 2015, inspection (Figure 4).

Following up: Ranger Scattaglia and Valerie were set to visit Devils Canyon on August 5, 2015, to conduct further inspections on activities in the area.

Figure 1:
Los Angeles County Assessor Parcels owned by Wayne Fishback (shown in green color)
in the Brown's Canyon and Devils Canyon areas in Chatsworth, California

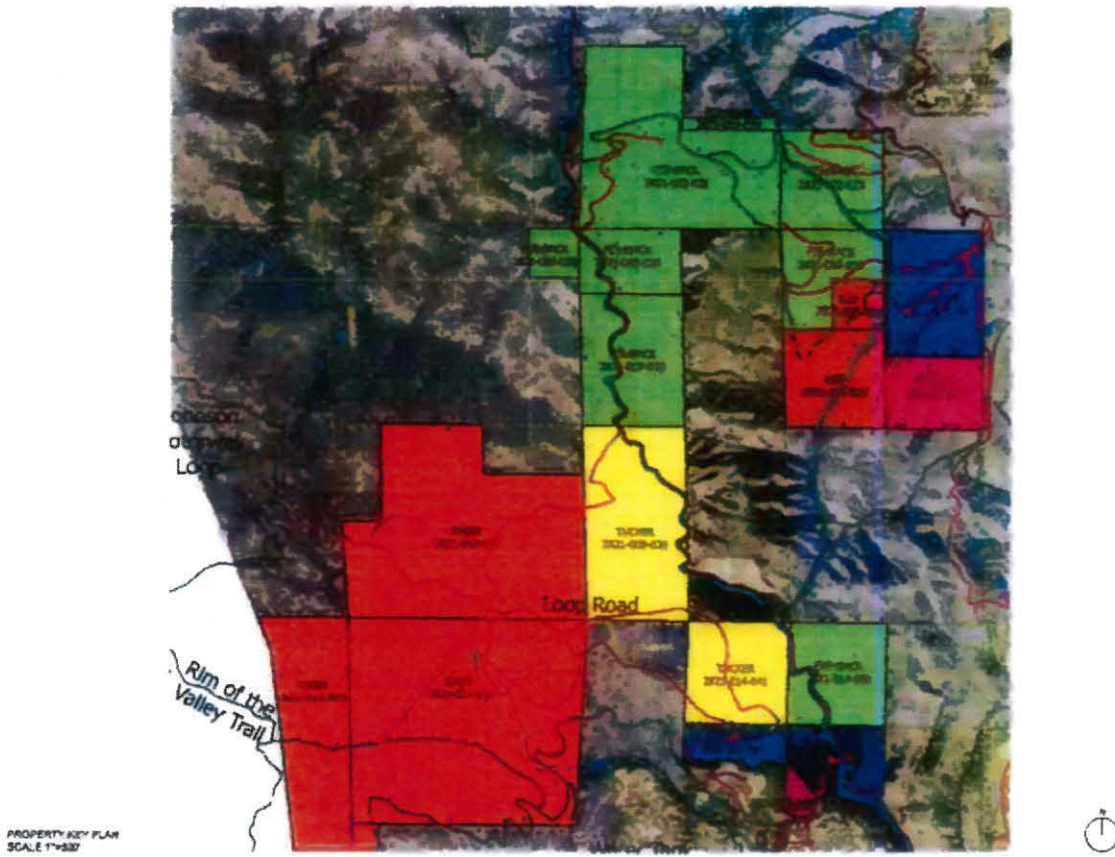


Figure 2: APN 2821-002-025, show areas that had been graded or filled since May 4, 2015.

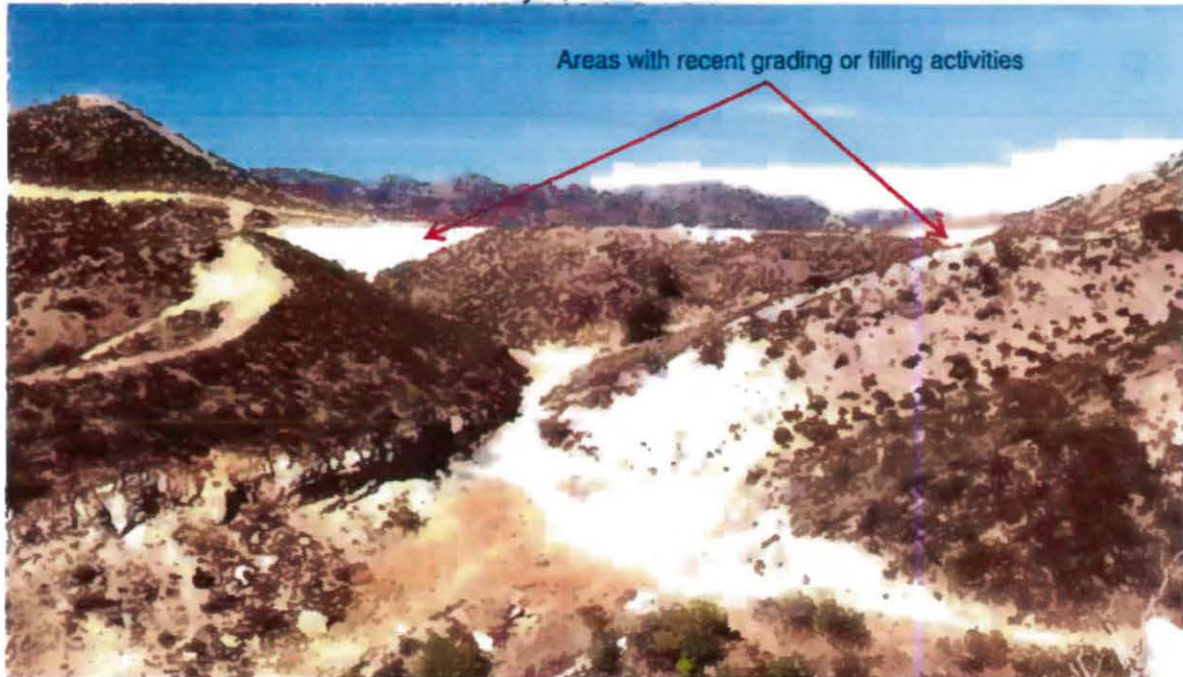


Figure 3: APN 2821-002-023. No significant changes were observed in this area, comparing to what was observed during the inspection on May 4, 2015.



Figure 4: APNs 2821-009-030 and 2821-009-031. Waste disposal/terracing activities were going on. Red circles denote areas that had recently been filled or graded.

